



DBE NEWSLETTER

MONTANA DEPARTMENT OF TRANSPORTATION
Published Monthly by DBE Supportive Services

Volume 3, Issue 1

Promoting the growth of Disadvantaged Business in Montana

January 2003

Upcoming Dates

- DBE Room Jan 29, 2003, Colonial, Helena
- Bid Letting Jan 30, 2003, MDT Helena
- DBE Activity Report Due January 31st

Training Opportunity for DBEs

It is up to you if this training is offered. Currently, classes are not offered in Montana. ESI International, 20 years serving Fortune Global 500 organizations worldwide will schedule a class if there is interest. Workshop Choices are "Winning New Business" (3 days, \$1,116.00) or "Construction Contracting" (5-days, \$1,196.00) The workshop would be scheduled in mid to late March in Helena. The full description of the workshops is attached.

Price is discounted plus you can use your annual reimbursement funds (\$600). DBE Supportive Services will provide an additional \$200 per company towards the class registration fees. You will pay for the class and DBE Supportive Services will reimburse you for the class registration costs.

This training will be scheduled if at least 15 people will commit to register for the class. Please contact Rebecca by January 17th if interested and I can schedule the class. Another option is to attend these classes at out-of-state locations (contact me for more information).

MONTANA DBE PROGRAM

Darren Kaihlanen, DBE Program Manager
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vkoch@state.mt.us (406) 444-6335

Office Location/Address: 2701 Prospect Avenue/PO
Box 201001, Helena, MT 59620-1001, (406) 444-6331,
Fax (406) 444-7685 TTY (800) 335-7592
Visit us on-line at www.mdt.state.mt.us and click on
Civil Rights Bureau



Rock Slide on US Highway 93, 1995

New Version of Expedite 5.1a, Electronic Bid Software

Contact Contract Plans at 444-6215 or
download from www.mdt.state.mt.us

8th Annual Small Business Opportunities Conference

Montana's premiere forum for government marketing.

Business to agency networking opportunity. Business
classes are available also. **When:** February 11-12, 2003

Where: Billings Hotel and Convention Center **Cost:**
\$100/person. **Who:** Big Sky Economic Development
Authority 406-256-6871 or
<http://www.bigskyeda.org/PTAC/events.htm>

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Montana DBE Company Monthly Update



Recently Re-Certified DBE Companies

A & S Development and Construction – Poplar, MT
A. Laugeni & Sons, Inc. – West Haven, CT
AM Tech Services, LLC – Helena, MT
Beard Environmental & Technical Assistance – Elliston, MT
Benge Construction Co., Inc. – Tualatin, OR
C & A Small Trucking – Busby, MT
Garcia and Associates – San Anselmo, CA
Herrera Environmental Consultants, Inc. – Seattle, WA
Highway Specialties, Inc. – Black Eagle, MT
Kristin Darr & Associates, LLC – Phoenix, AZ
L.A. Olson & Associates, Inc. – Billings, MT
McDevitt Associates, Inc. – Billings, MT
Montana Lines, Inc. – Great Falls, MT
Morning Star Trucking, LLC – Belgrade, MT
Mountain States Title Services – Helena, MT

Correction: Northwest Resource Consultants is located in Helena, MT not Billings as stated in last month's newsletter. Our apologies for the error.

Department of Defense Indian Incentive Program

The Department of Defense (DoD) Indian Incentive Program (IIP) strives to provide opportunities to Indian organizations and Indian-owned economic enterprises, by providing for the payment of 5 percent of the amount subcontracted to an Indian organization or Indian-owned economic enterprise at any sub-tier, when authorized under the terms of the contract. (\$8 million available for incentive payments to prime contractors)

For more info, go to this web site:
<http://www.acq.osd.mil/sadbu/iip>

Summary of American Subcontractors Association Killer Contract Clauses Workshop October 22, 2002, Bozeman by Rebecca Johnson

Some things to consider when negotiating contracts:

- Are you responsible for materials stored at site or does General Contractor sign off and take title of materials on site?
- Know whom you are working with. Be sure you know your general contractor and have evaluated your risk.
- When including prime contractor as Additional Insured – is it broad form indemnity? is your company assuming responsibility/risk for others? Check if your company is at risk with this coverage. The state of Oregon banned additional insured clauses.

Watch what your company invoices state for interest charges on overdue invoices. Under MCA 2001 31-1-107 parties may agree for the payment of any rate of interest that does not exceed the greater of 15% or an amount that is 6 percentage points per annum above the prime rate. Under MCA 2001 31-1-108 Penalty for usury – the charging a rate of interest greater than is allowed by 31-1-107 shall be deemed a forfeiture of a sum double the amount of interest which has been agreed to be paid thereon. Watch the customary statement on invoices of a 1.5% interest rate charge on overdue invoices – it may cost you.

American Subcontractors Association offers products to help subcontractors manager their business. American Institute of Architects A201 "General Conditions of the Contract for Construction" \$45.00 or the American Institute of Architects A401 "Standard Form of Agreement Between Contractor and Subcontractor" \$33.00 or Fundamentals of Fair Subcontracts CD-ROM \$39.00. Go to www.contractorsknowledgenetwork.org or call 888-374-3133.

HEALTH CARE COVERAGE By State Auditor John Morrison, Montana Insurance Commissioner

Operating a small business presents many challenges in today's economic climate. Among the top concerns of many small-business owners is providing employees with health insurance.

The major concerns about health care coverage include price, access and service.

For most companies, health insurance is a tremendous expense, second only to payroll. Business owners want to feel confident that their monthly expenses will be manageable and their employees can afford their premium contribution, deductible and co-pay costs. When reviewing health plans, compare each plan's ability to control and anticipate costs. Ask for a history of rate increases and decreases.

It is equally important that employees be able to receive medical care reasonably close to home or work, and can choose from a large network of providers. Review each health plan's physician network to determine if the number and location of doctors will allow employees convenient access to medical care. Also, determine if it provides adequate coverage for policyholders' needs or if it is catastrophic coverage, which may cover only emergencies. Make sure the benefits will protect employees and make the expense worthwhile.

A key factor in choosing a health insurance company should be its ability to provide hassle-free assistance. Ask other business owners if their employees are satisfied with their plan's service. Ask them about their insurer's benefit payment history and claim turn-around time. Ask doctors what they think of particular plans.

The National Association of Insurance Commissioners has a Web site that provides complaint ratios for insurance companies, which is a good indicator of quality and service. The Web site address is www.naic.org/servlet/cis.Main <<http://www.naic.org/servlet/cis.Main>>.

After determining the insurance needs and priorities of a business and its budget, employers will have many types of plans to choose from, in addition to a variety of companies that sell them. A simple way to shop for a plan is to call an independent agent who usually can provide quotes from more than one insurer.

Small-employer group coverage is an option for employers to consider if they have two to 50 employees. The law states that policies must be issued if the group coverage applies, without regard to the health status of the employees and dependents.

Health insurance options include:

Indemnity Plans - Members typically pay a specified dollar amount (or deductible) for the benefits they receive. After they pay their deductible, members pay a percentage of medical costs (co-pay). Employees generally have access to the doctors they prefer for most types of medical care, but it might be of greater cost to employees and may not provide coverage for preventive care. Members typically must document the entire claims process with paperwork.

Preferred Provider Organization Plans - A network of doctors has agreed to provide medical care to plan members at a discounted rate. If employees visit a preferred (in-network) provider, they typically pay less out of their own pocket because of a lower deductible, a lower co-pay amount and provider discounts. If they visit a doctor outside the network, they typically pay more and are reimbursed for less. Employees have the flexibility to choose any doctor, but will pay more for going outside the network. Usually they require less paperwork than indemnity plans, or no paperwork at all. The plans typically are more expensive and it is more difficult for employees to predict the cost of care when they use non-participating providers. Sometimes these plans do not offer preventive care and wellness programs.

Point of Service Plans - Members choose one primary care physician from the plan's network to coordinate their care. So long as they use that doctor to direct their care, including referrals to other doctors, members enjoy a low overall cost of care, such as a \$5 or \$10 office co-payment. When members visit doctors outside the plan's network, or fail to get a referral, they usually pay deductibles and coinsurance. These plans are designed to manage costs for employees while offering a choice of doctors. They generally feature preventive care and wellness programs. Choosing physicians outside the network increases costs and requires paperwork. Also, referrals are required from the member's physician before visiting most specialists to receive in-network benefits.

Health Maintenance Plans - After the full monthly premium is paid, the HMO is then responsible for coverage and for arranging the coordination of the delivery of care, so long as members receive care from the HMO's participating physicians. Members pay a small co-pay amount for medical care at the time of service and there is no paperwork. Outside the network, members usually must pay for their care out of their own pocket and deal with paperwork.

The Exams Bureau in the Montana Insurance Department in the State Auditor's Office can provide a list of health insurance companies that sold policies in Montana the previous year and what percentage of the state's premium they wrote. It is important to verify that any agent or company is licensed to sell insurance in Montana. The Exams Department also can provide the A.M. Best rating of a company, which indicates the financial solvency of a company compared to A.M. Best standards and other insurance companies. If you have questions or concerns about a health insurance plan, agent or company, call the Montana Insurance Department in the State Auditor's Office: 1-800-3332-6148 or in Helena at 444-2040.



Old Highway 90 Sign

In Progress

Highway Construction Bidding and Estimating Workshops for February-March in Helena and Billings. Please watch for notices.

MDT Contract Plans Section 2003 BID LETTING SCHEDULE

Advertisement	Bid Letting	Commission Award
Date	Date	Date
2-Jan-03	30-Jan-03	10-Feb-03
30-Jan-03	27-Feb-03	10-Mar-03
27-Feb-03	27-Mar-03	7-Apr-03
27-Mar-03	24-Apr-03	5-May-03
24-Apr-03	22-May-03	2-Jun-03
29-May-03	26-Jun-03	7-Jul-03
26-Jun-03	24-Jul-03	4-Aug-03
24-Jul-03	21-Aug-03	2-Sep-03
28-Aug-03	25-Sep-03	6-Oct-03
9-Oct-03	6-Nov-03	17-Nov-03
6-Nov-03	4-Dec-03	15-Dec-03

Secretary of State to Cut Business Filing Fees

Secretary of State Bob Brown announced Thursday that he will lower fees that companies must pay when they register to do business in Montana.

Close to 60,000 businesses are currently registered with the Secretary of State's Office, including about 5,000 new businesses that registered in 2002.

"As we've worked toward greater efficiency, we've discovered that our business fees are beginning to exceed our costs," Brown said. "So we need and want to return those efficiency savings to our customers."

Perhaps the biggest change, he said, will be the elimination of a cumbersome and confusing fee schedule for corporations. Currently, corporations pay anywhere from \$70 to \$1,000 to register with the Secretary of State's Office.

Under the new fee plan, the filing fee for all corporations will be \$70.

Other fee changes include:

- * A \$50 reduction in the registration fee for limited liability partnerships.

- * Elimination of \$5 fees to cancel registration of limited liability partnerships and assumed business names.

- * A reduction in the cost of ordering certificates of existence and authorization online using the Secretary of State's business search page: <http://app.discoveringmontana.com/bes/>.

The changes will take effect in the spring, following public hearings to revise the agency's administrative rules.

Brown said his office hopes to make it possible in the next couple of years for businesses to file annual reports online.

"When that happens, we intend to drop the fee for filing annual reports to reflect the greater efficiency that technology can provide," he said. "It costs our office less to do business online, and we believe it should cost our customers less, too." For more information, contact the Business Services Bureau of the Secretary of State's Office, (406) 444-3665 or TDD (406) 444-9068.

QUARTERLY DBE ACTIVITY REPORT

DBE COMPANY:

DATE:

Jan to March April to June July to Sept Oct to December
(circle quarterly report date range)

[illegible]

Winning New Business

3 days • \$1,395

Learn how to:

- ✓ Apply a process to winning new business
- ✓ Conduct market research and do competitive analysis
- ✓ Analyze RFPs effectively
- ✓ Evaluate risk vs. opportunity — bid/no-bid
- ✓ Tackle the proposal preparation process
- ✓ Apply best practices in preparing winning proposals

"Good information for every member of an organization. The subject matter carries great weight and should be recognized as everyone's responsibility — directly or indirectly."

Wendy Coburn
Contracts Administrator
Barnes Aerospace

"Excellent examples — really taught how to focus on the business decision process."

Bonnie Wagner
Senior Contracts Administrator
Roche Pharmaceuticals

Learn how to be the winner, not only once but consistently. Identifying and capitalizing on new business opportunities in today's dynamic business environment can be a rigorous process.

This course provides insights and teaches skills that can give business managers a decisive competitive advantage. The course conveys the essentials of competition and business strategy, explains the dynamics of the sales process, and provides hands-on instruction in market research, pre-RFP sales techniques, bid/no-bid decision making and proposal preparation. The role of the contract manager in the business development process is clarified, especially in terms of planning and preparing for the transition from sales to contract negotiation.

You will learn how buyers or customers determine their needs, communicate their requirements, and seek and find companies that can provide them with solutions — and how to influence those processes to the benefit of your company. You will also learn how to assess business risks using the "Risk and Opportunity Assessment Model" and how to make sound bid/no-bid decisions.

Proven techniques for formulating effective proposal strategies, developing winning proposal content, and efficiently managing the proposal process are presented. Case studies and practical exercises are used throughout the course to reinforce key learning points.



Recommendation: We recommend you take this course if you are pursuing a Master's Certificate in Commercial Contract Management, awarded by ESI and The George Washington University. See page 7 for details.

Course Topics

1. The Process of Winning New Business

- a. Market research
- b. Competitive analysis
- c. Sound business strategy
- d. Proactive sales activities

2. Requirements Analysis — Knowing the Customer

- a. How to obtain information about customers and their requirements
- b. How customers prepare RFPs
- c. Effective RFP analysis techniques
- d. How to develop compliance checklists

3. Bid/No-Bid Decision Making — Risk vs. Opportunity

- a. Business strategy and proposal strategy — how they are related
- b. Why strategy is critical
- c. The basic proposal strategies
- d. How to define a plan for winning
- e. Key factors in the bid/no-bid decision
- f. Case study
- g. The risk and opportunity assessment model (ROAM)

4. Special Elements of the Proposal

- a. Transmittal letters
- b. Executive summaries
- c. Covers and title pages
- d. Compliance matrices
- e. Appendices
- f. Effective resumes

5. Proposal Management — How It Works

- a. Proposals — large and small — as projects
- b. Role of contract manager on proposal team
- c. Selecting the proposal manager and establishing the proposal team
- d. Preparing a proposal directive
- e. Establishing and managing schedules
- f. Using contract analysis teams and other approaches to quality control

6. Preparing Winning Commercial, Financial and Legal Proposal Content

- a. Understanding the customer's rules
 - Written
 - Unwritten
- b. Understanding the bid strategy
- c. Taking exception to the customer's terms and conditions: it's okay
- d. Assessing and communicating extraordinary cost and risk
 - Terms and conditions (Ts and Cs) have costs
 - Ts and Cs have risks
- e. Involving affected organizations
 - Internal
 - External
- f. Why proposal terms and conditions are important
 - Preserving ability to negotiate
 - Fixing cost and risk
 - Ensuring customers understand the offer

Schedule

Hours: 8:30 a.m.–4:30 p.m.

Washington, DC

January 13–15, 2003

Session code: CCM-CWX/A20030113A

May 5–7, 2003

Session code: CCM-CWX/A20030505A

Construction Contracting

5 days \$1,495

Learn about:

- ✓ Contract negotiations
- ✓ Bid protests
- ✓ Insurance requirements
- ✓ Calculating, proving and recovering additional costs
- ✓ Presenting and defending against claims
- ✓ Types of changes
- ✓ Owners' and contractors' responsibilities

"This course has been extremely beneficial. It had all the required items and far exceeded just the requirements — excellent materials, wonderful learning environment and a fabulous teacher."

Michael Schwager
Mechanical Engineering Coordinator
Chicago Transit Authority

"Excellent textbook, good for future reference. Excellent lectures with practical experiences."

Jim Clark
Contracting Officer
National Park Service

"It was great to have someone who knows construction inside and out — both as construction manager and legal counsel."

Barbara Balnbridge
Buyer
Lockheed Martin Corporation

Construction contracting — in both the public and the private sectors — is challenging for all concerned. It's an uphill battle all the way: heavy competition for construction contracts leads to tight pricing that allows little room for accommodating changes, despite the fact that changes are inevitable. Plus, most construction contracts involve numerous players whose various interests and problems further complicate the process.

Construction contracts are therefore subject to a variety of legal requirements that govern the rights and responsibilities of the parties. In addition to state and local ordinances, regulations and common law decisions that may apply, federal law governs many facets of the process, even under some state and local contracts.

This course prepares you for the complexities of construction contracting, whether you're a contractor, an owner, a government agency representative or are otherwise involved.

In five information-packed days you'll gain an understanding of the entire contracting process, so you'll be able to deal effectively with all parties involved. You'll get a solid grounding in the laws and requirements that govern the award of public contracts, including bid protests.

Because contract changes are probable, if not inevitable, and disputes are always possible, this course covers your rights and responsibilities and offers remedies in these matters. You'll learn how the specific language of the contract invokes consequences that can have a tremendous impact on you — consequences you must be aware of before you commit to the contract terms.

Join us for this practical, comprehensive introduction to the law of construction contracting — and get a solid foundation for your future.

Course Topics

1. Construction Contracting

- a. The construction industry
- b. Authority for contracting
- c. Authority of an owner's agents
- d. Applicable laws

2. Forming the Contract

- a. Solicitation preparation
- b. Bid solicitation
- c. Negotiated procurement
- d. Evaluation and award

3. Award Controversies

- a. Bid protests
- b. Federal court litigations
- c. Small business disputes
- d. State and local procedures

4. Contract Interpretation and Risk Allocation

- a. Rules and ambiguities
- b. Incorrect statements and nondisclosure
- c. Government warranties
- d. Contractor guarantees
- e. Proportional risk allocations

5. Changes and Claims

- a. Owner-ordered changes
- b. Contractor-initiated changes and claims
- c. Constructive changes

6. Differing Site Conditions

- a. Legal principles
- b. Risk-shifting clauses
- c. Type I and Type II conditions
- d. Site of inspection and data investigation
- e. Exculpatory clauses
- f. Equitable adjustment

7. Delays, Suspension of Work and Acceleration

- a. Excusable delays
- b. Compensable delays
- c. Acceleration
- d. CPM analysis/concurrent delays

8. Cost Recovery

- a. Basic recoverable costs
- b. Theories of recovery
- c. Inefficiency and delay claims
- d. Idle time, overhead and profit

9. Inspection, Acceptance and Warranties

- a. Inspection
- b. Rejection and acceptance
- c. Warranty provisions

10. Terminations

- a. Unilateral right to terminate
- b. Prerequisites for default
- c. Recoverable damages

11. Payment and Discharge

- a. Progress payments and cost reimbursement
- b. Owner's right to withhold

12. Bonds and Insurance

- a. Bid bonds
- b. Payment bonds
- c. Performance bond issues
- d. Builder's risk insurance
- e. Liability insurance

13. Contract Disputes

- a. Contract Disputes Act
- b. State and local laws
- c. Alternative dispute resolution/arbitration

14. Subcontracts

- a. Contract formation-estoppel
- b. Performance disputes
- c. Claims and "pass through" procedures

15. The Civil False Claims Act

16. Contract Closeout

Schedule

Hours: 8:30 a.m.-3:30 p.m., except last day 8:30 a.m.-12:30 p.m.

San Diego, CA

August 11-15, 2003

Session code: GCP-BFH/A20030811A

Washington, DC

December 9-13, 2002

Session code: GCP-BFH/A20021209A

February 10-14, 2003

Session code: GCP-BFH/A20030210A

June 9-13, 2003

Session code: GCP-BFH/A20030609A

October 6-10, 2003

Session code: GCP-BFH/A20031006A

January Business Calendar

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
			1	2	3	4
5	6	7 >Hazardous Materials Billings	8	9	10	11
12	13 >How to Legally Collect A/R Missoula	14 >Diplomacy & Tact Missoula >How to Legally Collect A/R Helena >Mystery of Credit Helena >OSHA Trenching Great Falls	15 >How to Legally Collect A/R Bozeman >Succeeding Despite Bozeman	16 >Diplomacy & Tact Helena >How to Legally Collect A/R Billings	17 >8 Hour Hazwoper Training Billings	18
19	20	21 >Mastering Internet Billings >Wow Them With Words Helena	22 >Wage and Hour Law Update Billings >Succeeding Despite Missoula	23 >Management Skills for New Manager Billings >NxLevel Entrepreneurial Helena >Succeeding Despite Great Falls	24 >QuickBooks Pro- Level Missoula	25
26	27	28 >28 th Annual MT Economic Outlook Helena >Diplomacy & Tact Bozeman >OSHA Scaffolding Butte	29 >28 th Annual MT Economic Outlook Great Falls >OSHA Forklift Butte	30 >Diplomacy & Tact Billings	31 >28 th Annual MT Economic Outlook Missoula >Microsoft Excel Billings	

2003

28th Annual MT Economic Outlook Seminar, Jan 28 Helena, Jan 29 Great Falls, Jan 31 Missoula, Feb 4 Billings, Feb 5 Bozeman, Feb 6 Butte, Feb 11 Kalispell, Mar 4 Sidney, Mar 5 Miles City, Bureau of Business & Economic Research, \$70, www.bber.umd.edu/seminars/2003seminar.htm, Recent trends & the outlook for Montana's important industries.

8 Hour Hazwoper Refresher, January 17, February 21, March 21, April 9, May 16, June 20, July 2, August 15, Billings, Comprehensive review to maintain certification. \$150 per person. 406-248-6178 or acarrillo@associatedemployers.org Associated Employers of Montana and Montana Safety Services Council

Diplomacy & Tact, For professionals who want to gain the expert speaking, writing, and interpersonal management skills necessary to lead, motivate, and work diplomatically with others. January 14-15 Missoula, January 16-17 Helena, January 28-29 Bozeman, January 30-31 Billings, Padgett Thompson, www.pttrain.com, 800-258-7246, \$395 per person.

Hazardous Materials General/Function-Specific Awareness, January 7, March 4, May 6, July 1, Billings, Three required training areas for all employees in handling hazardous materials. \$100 per person. 406-248-6178 or acarrillo@associatedemployers.org Associated Employers of Montana and Montana Safety Services Council

How to Legally Collect Accounts Receivable, Collect even the toughest debts, turns excuses into firm commitments to pay, put paperwork and deadlines in their place with a new system, Learn how to collect more in less time, Jan 13 Missoula, Jan 14 Helena, Jan 15 Bozeman, Jan 16 Billings, Padgett-Thompson, www.pttrain.com, 800-258-7246, \$179

Management Skills for the New or Prospective Manager, January 23-24 Billings, Everything you need to know to get results through others, \$399 per person, SkillPath Seminars, 800-873-7545 www.skillpath.com

Mastering Internet and LAN Security, Learn how to protect your company from hackers, vandals and inside snoops. Show you how to build the defenses you need to detect and stop malicious attacks and vandalism. Jan 21-22 Billings, \$895 per person, 800-873-7545, SkillPath Seminars, www.skillpath.com

Microsoft Excel, Jan 31, Billings, Packed with practical, ready-to-use techniques and time-saving tips that will help you accomplish much more every time you use this powerful program. \$99 per person, CompuMaster, 800-867-4340, www.compumaster.net.

Mystery of Credit, Jan 14 Helena, Credit Repair, Credit Score Computation, How credit affects lending questions, Business Resource Center, 443-0800, No Charge

NxLevel Entrepreneurial Training, Jan 23-April 24, Helena, MT www.mmis.umd.edu, 406-443-0800, A business training course designed to enhance entrepreneurial skills and assist in creating a comprehensive business plan. Class session will be held each Thursday evening. Cost varies depending on how many sessions registered.

OSHA Forklift Operator Requirements, Jan 29 Butte, covers OSHA requirements for powered industrial truck operator training. No Cost, 406-444-6401, Safety & Health Bureau, Department of Labor and Industry, contact Rebecca for registration forms.

OSHA Scaffolding Requirements, Jan. 28 Butte, Safety aspects of scaffolding and current OSHA requirements. No Cost, 406-444-6401, Safety & Health Bureau, Department of Labor and Industry, contact Rebecca for registration forms.

OSHA Trenching & Excavation Requirements, January 14 Great Falls, No Cost. Addresses OSHA trenching and excavation current standard requirements and the role and qualifications of the competent person. Topics include shoring and sloping techniques and requirements. MT Dept of Labor Occupational Safety and Health Bureau, 406-444-6401.

QuickBooks Pro-Level 1, Jan 24 Missoula, A financial/accounting class for Quickbooks Pro, WaterColor Computer Training, 406-542-1573, \$119 per person.

Succeeding Despite Difficult People, January 14 Billings, Jan 15 Bozeman, Jan 22 Missoula, Jan 23 Great Falls, Preparing for Predictable Behaviors, Strategies for Working with difficult personality types, \$195 per person, 406-248-6178 or acarrillo@associatedemployers.org Associated Employers of Montana and Montana Safety Services Council

Wage and Hour Law Update in Montana, Jan 22 Billings, Lorman Education Services 888-678-5565, www.lorman.com, \$239 per person.

Wow Them With Words, Jan 21 Helena, Learn powerful, written communication strategies to develop effective brochures, fliers, newsletters and newspaper advertisements, \$25.00 charge, Business Resource Center, 443-0800

Montana DBE Room **Schedule for 2003**

West Coast Colonial Hotel
2301 Colonial Drive, Helena

Gallery Room (off front lobby)
5:00-9:00 PM

January 29, 2003

February 26, 2003

March 26, 2003

April 23, 2003

May 21, 2003

June 25, 2003

July 23, 2003

August 20, 2003

September 24, 2003

November 5, 2003

December 3, 2003

Quote of the Month

ENTHUSIASM IS... Traveling to work Monday morning at the same speed you go home on Friday afternoon.

Joe Heuer
Writer and Speaker

Reference and Background Check Guidelines

Many managers have experienced the difficulty caused by hiring a job candidate based on their perfectly manicured resume and then later discovering they did not have a complete understanding of their new employee's strengths and weaknesses. Unfortunately for employers, there are no concrete or absolute rules that determine how detailed a reference or background check they should conduct.

The level of reference or background check necessary will greatly depend on the position involved and the potential risk an employee in that position could present. Following are some general guidelines that should assist employers in making informed hiring decisions:

- If necessitated by the level of the position being hired, complete a background check before hiring any job candidate.
- Review the job candidate's resume for any break in their work history. Breaks in employment could reflect any number of issues including: imprisonment, hospitalization, substance abuse, or other potential employee problems.
- Obtain the job candidate's consent to contact their previous employers. Oftentimes, a job applicant's authorization may ease a previous employer's fear of defamation. A job applicant's reluctance to provide this type of consent may indicate difficulty in their previous position.
- Make use of professional references provided by the job applicant. Despite concerns about defamation, checking with past employers can confirm employment dates and job descriptions. In addition, employers usually are not hesitant to discuss former employees with excellent records.
- An employer's legal duty under the negligent hiring theory is to conduct a reasonable investigation.
- Verify the applicant's previous addresses. This allows the employer to ensure that the applicant lived where they stated and were not in custody.
- Employers should not investigate an applicant's history of workers' compensation claims. The Americans with Disabilities Act prohibits asking about an applicant's workers' compensation history before making a conditional offer of employment.
- Employers should document their efforts at performing background and reference checks.

EBR specializes in assisting employers with a wide range of employee recruitment and retention services. **For additional questions or other human resource related needs, please contact Employee Benefit Resources, LLP and ask for John Cummings, at 1-800-765-9429 or 1-406-449-5500 (EXT 261).**

Some things you Can't ask in an interview:

How old are you?
What church do you go to?
Do you smoke?
What race are you?
Are you married?
Do you get alimony /child support?
Will you send a picture with your application?

What is your maiden name?
How much do you weigh?
Where were you born?
What is your sexual orientation?
What clubs do you belong to?
Are you pregnant?

*Quoted from South Dakota's
DBE Newsletter Dec /Jan 2003*



MT Contracting Opportunities

MDT Highway Construction Projects Invitation for Bids

For the quickest and most complete information of these projects as they are advertised for bid, go to the web site <http://mdt.state.mt.us/ctrct/contract.htm> and click on Invitation for Bids. While the newsletter has notices posted, do not rely on this information alone.

Invitation for Bids, Letting of January 30,2003

Sealed bids on the following projects will be received by the MDT-Highways Division, Contract Plans Section, Room 101, 2701 Prospect, Helena, MT until 9:00am on January 30, 2003. Bids proposals, plans, cross-sections, and full instructions to bidders are on file for examination, and may be obtained from the Contract Plans Section or go to web site <ftp://ftp.mdt.state.mt.us/contract/orderform.pdf> for order form. These documents may be requested by FAX (406) 444-7236, by mail or by calling (406) 444-6216, 6212 or 6215.

1. **D1 - Seismic Rehab, Federal Aid Project No. BH 0002(507)** Seismic bridge rehabilitation of three structures on the D1 – in Flathead County. DBE contract goals are 2.0%.
2. **2 Km. S. of Winston-South, Federal Aid Project No. NH 8-4(42)65** Widening, milling, plant mix bituminous overlay, seal and cover on 13.9 km. of U.S. 287 on the 2 km South of Winston-South Road in Broadway County. DBE contract goals are 2.5%
3. **1998-D3-Electrical, Federal Aid Project No. STPHS-IM 0002(627)** Installation flashers, lighting and barriers on the 1998D3-Electrical project in Cascade and Lewis and Clark Counties. DBE contract goals are 0.0%.
4. **Blackfoot River – 12 km NE of Helmville, Federal aid project No. BR 41-1(16)32** Grading, gravel, plant mix and the construction of a 57-meter steel girder structure on the Blackfoot River – 12 km NE of Helmville project in Powell County. DBE contract goals are 2.0%.
5. **Hilger – North, State Project No. SPCS 236-1(11)0** Crack sealing and seal and cover on 37.8 km of the Hilger – North project in Fergus County. No DBE contract goals.
6. **Jackson – East, State Project No. SFCS 278-1(16)35** Plant mix surfacing with seal and cover on 12.2 km of the Jackson-East project on Secondary 278 in Beaverhead County. No DBE contract goals.
7. **Clark Fork-East of Drummond, Federal Aid Project No. BR 9039(33)** Replacement of a through truss bridge with a 61-meter 2-span pre-stressed concrete structure on the Clark Fork-East of Drummond project in Powell County. DBE contract goals are 3.0%.
8. **Muggins Creek-2 km North of Myers, Federal Aid Project No. BR 9052(17)** Grading, gravel, and installation of a 4300 mm x 2700 mm reinforced concrete box culvert on the Muggins Creek-2 km North of Myers project on a county road in Treasure County. DBE contract goals are 0.0%.

Considering Hiring a New Employee?

From South Dakota DBE News, Dec/Jan 2003

Before you even consider placing a help wanted ad, you need to decide if you really do need a new employee. Consider the following:

- Are you getting all of the production out of your current staff that you can?
- Is there a way to shuffle a few responsibilities so that you don't have to hire a new person?
- Can the work be outsourced cheaper?
- Will your current revenues justify the addition of a new employee's added costs?
- Will the addition of the new employee generate more revenue for you?
- Will the new hire be part of your envisioned future growth?

MT Contracting Opportunities (Continued)

Gravel Aggregate ESQ030106 Response Date Jan 24, 2003 Total Small Business Set Aside BLM MONTANA STATE OFFICE 5001 SOUTHGATE DR PO BOX 36800 BILLINGS MT 59107 Supply, load, transport, off load and stockpile 12,000 ton of gravel that meets gradation specifications. Site for stockpile is along Knox Ridge Road. Lori Mading contracting officer 4068965196 lori_mading@mt.blm.gov Place of Performance Fergus County, MT 59457 <http://www.eps.gov/spg/DOI/BLM/NBC/ESQ030106/listing.html>

DACA67-03-R-0207 Replace Family Housing Units, Phase 6A, Malmstrom Air Force Base, MT 1/28/03 Closing Date 2/27/03 The project consists of constructing 18 units in a duplex configuration, 8 units, 4 buildings, at Minuteman Village and 10 units, 5 buildings, at the Matador Manor area. Both sites will include access road in a cul-de-sac design with underground utilities and infrastructure. The housing components consist of two-story design, with no basements. Features include composition roof, insulated windows, some units with window shutters, carpeting, vinyl tile, porcelain floor tile, single car garage, landscaping and yard fencing. This solicitation will be issued as an Electronic Bid Set, and will be available to download on or about 28 January 2003 at: <http://www.nws.usace.army.mil/ct>. Visit the Corps of Engineers web site at <http://www.nws.usace.army.mil>, and for additional contracting opportunities, visit the Army Single Face to Industry at <http://acquisition.army.mil/>.

The City of Billings, an Equal Opportunity Employer, requests bids for design-build contracting firms to construct a skatepark for the City of Billings Parks, Recreation and Public Lands Department. Detail specifications and instructions for the submission of bids are listed here or are available at the Office of the Director of the Parks, Recreation and Public Lands Department, 390 North 23rd Street, Billings, Montana 59101 and at the City Clerk's Office at City Hall, 210 North 27th Street, Billings, Montana 59101. For additional information please contact Don Kearney at 657-8369 or by email at Kearneyd@ci.billings.mt.us All bids must be submitted to the City Clerk no later than 2:00 p.m. on Tuesday, January 14, 2003. The City encourages proposals by qualified DBE/WBE Businesses. <http://www.bid-search.com/cgi-bin/databases/display.pl?DOCID=12-00028&KWDS=>

Upcoming Projects

MT PFH 59-1(1), Beartooth Highway PreSolicitation No: DTFH70-01-B-00032 Yellowstone National Park, Park County, Montana; approximately 134 km east of Gardiner, MT 8 km of grading, drainage, base and asphalt concrete pavement \$5 million - \$10 million Tentative Ad Date: 02/14/03 Tentative Bid Opening Date: 03/18/03 Western Federal Lands Highway Division <http://www.wfl.fha.dot.gov/edi/future.htm>

MT PRA-GLAC 10(17) & 10(18) Going to the Sun Road Wall Repair, Phase III and Phase IV

PreSolicitation No: DTFH70-03-B-00003 Glacier National Park, Flathead County, Montana; approximately 60 km northeast of Columbia Falls, MT 1 km of grading, drainage, base, paving and walls \$5 million - \$10 million Tentative Ad Date: 02/14/03 Tentative Bid Opening Date: 03/18/03 Western Federal Lands Highway Division <http://www.wfl.fha.dot.gov/edi/future.htm>

Construct Roads, Parking Lots and Airbase Taxiway, Missoula Fire and Technology Center, MT Presolicitation Notice DACW67-03-B-0004 Response Date Feb 20, 2003 US Army Engineer District, Seattle - Civil Works, ATTN: CENWS-CT, PO Box 3755, Seattle, WA 98124-3755 Widening Montana Highway 10 to include shoulder and turning/deceleration lanes. Add and delete interchanges from Highway 10 to Forest Service facility access road. Grade, pave and provide storm sewer system for new Forest Service access road and parking lots. Add sidewalks and facility signage and highway signage. New pavement and subgrade improvements and drainage improvements to Airbase taxiway. Project is open to both large and small business. Firms must register via the Internet at the following address: <http://www.nws.usace.army.mil/ct/> in order to receive notification of solicitation/amendment posting. The solicitation will be available for download on or about January 21, 2003 Susan Newby, 206-764-6780 susan.f.newby@nws.usace.army.mil <http://www.eps.gov/spg/USA/COE/DACA67/DACW67-03-B-0004/listing.html>

DBE Supportive Services , Civil Rights Bureau
MT Department of Transportation
PO Box 201001
Helena, MT 59620-1001
800-883-5811
TTY (800) 335-7592

ADDRESS CORRECTION REQUESTED

STATE DOCUMENTS COLLECTION

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MONTANA STATE LIBRARY
1515 E. 6th AVE.
HELENA, MONTANA 59620



Those were the good old Montana winters



DBE NEWSLETTER

MONTANA DEPARTMENT OF TRANSPORTATION
Published Monthly by DBE Supportive Services

Volume 3, Issue 2

Promoting the growth of Disadvantaged Business in Montana

February 2003

Upcoming Dates

- MT Small Business Opportunities, Billings
- DBE Room Feb. 26, '03, Colonial, Helena
- Bid Letting Feb. 27, '03, MDT Helena

Highway Construction Bidding and Estimating Workshops

March 11 Helena, MDT Auditorium

March 13 Billings, MT Business Incubator
8:00 am to 4:30pm

Step by Step approach to bidding on highway construction project. Bid on an actual project. Learn common bid proposal errors and what prime contractors look for on bid proposals.

Cal Frank, Retired MDT Engineer is the presenter along with Jim Phillips, MDT Civil Rights Bureau Compliance Specialist providing certified payroll training.

Call or e-mail your problems and/or questions about preparing bids, bid process, etc. It will be addressed during these workshops. Rebecca

MONTANA DBE PROGRAM

Darren Kaihlanen, DBE Program Manager
dkaihlanen@state.mt.us (406) 444-9229

Debbie Riemann, DBE Program Specialist
driemann@state.mt.us (406) 444-6337

Rebecca L. Johnson, DBE Supportive Services Manager
rejohnson@state.mt.us (800) 883-5811, (406) 444-7287

Vicky Koch, Civil Rights Bureau Chief
vkoch@state.mt.us (406) 444-6335

Office Location/Address: 2701 Prospect Avenue/PO Box 201001, Helena, MT 59620-1001, (406) 444-6331, Fax (406) 444-7685 TTY (800) 335-7592
Visit us on-line at www.mdt.state.mt.us and click on Civil Rights Bureau



Traffic Research & Analysis, Phoenix, AZ

How Are We Doing??

Please complete the attached DBE Supportive Services Survey and return to Rebecca as soon as possible. Please disregard, if you completed the e-mail version instead. Thank you.

How can you improve the DBE Supportive Services Program??

Volunteer to be on the DBE Supportive Services Advisory Board. Only requires one hour per month for a teleconference with other board members. Give vital input to help develop a program that meets your business needs. Please call Rebecca.

INSIDE THIS ISSUE

1	Workshops, Survey, Advisory Board
2	DBE Company Update, Quote, Communication Wkshp
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5	MDT Overview Workshop Summary, ElementK Classes
6	MT Contracting Opportunities
7	More MT Contracting Opportunities

Montana DBE Company Monthly Update

Newly Certified DBE Companies

Quality Landscape Seeding, Inc.	Lisa M. Read	Belgrade, MT
Solid Network Solutions, LLC	Maria Curcio	Freehold, NJ

Recently Re-Certified DBE Companies

Kuck Trucking, Inc.	Connie C. Kuck	Billings, MT
Kuck Transportation, Inc.	Connie C. Kuck	Billings, MT
J&R Trucking	John Eneas	Elmo, MT

Denied DBE Certification

The Heartland Consortium, Inc.	Verni Nerren	Canton, OH
Barbara Bryan, PE, Inc.	Barbara Bryan	Billings, MT
Portage Environmental, Inc.	Mike Spry	Idaho Falls, ID
Nevins Trucking	Kathy Nevins	Browning, MT
MBE	Robert Perry	Delano, MN
Harvey Cole Construction	Harvey Cole	Helena, MT
Nelson's Construction	Nancy Nelson	Joplin, MT
Northern Engineering & Consulting Inc.	James Garrigan	Bemidji, MN
Scott Long Construction, Inc.	Scott Long	Billings, MT
Preferred Contracting, Inc.	Cheryl Balbinot	Billings, MT
Sara Sauve	Sara Sauve	Helena, MT
Rains & Associates	Jim & Joni Rains	Billings, MT
Pack Construction	Robyn & Patrick Walter	Cut Bank, MT
Russell's Printing & Publishing,	Julia K. Parks	Cedar Rapids, IA

Quote of the Month

The 4 Surefire Rules for Success

1. Show up
2. Pay Attention
3. Ask Questions
4. Don't Quit.

Bob Gilbert, Ph.D., Editor *Bits & Pieces*

Communication Workshop, MSU, Jan. 7th, 2003

Steve Garrison, Mark Wissinger, Jim Mitchell,
Jim Wickens, Sue Platis

Contract stipulates that the prime contractor is required to attach Provision 1273 to every subcontract

Preliminary Future Requests for MDT Highway Construction Budget is:

2004 \$286 million

2005 \$358 million

The common theme mentioned by MDT and contractors was it is better to solve problem at the lowest level, most familiar with problem, and problem can be solved faster and it is less costly.

Contractors are invited to tell MDT when to consider a pre-bid conference. All seven reservations have pre-bid conferences.

Inconsistent procedures by district – one district does it one way, and another district does it another way.

Uniformity Complaint Form – contractor can let MDT know that this issue is being handled a different way by another district.

Some MDT project managers, meet with contractors to agree on quantities before payment, fewer issues at payment time. Nothing is too small to address. If small stuff is addressed at lowest level, they do not get to be big problems. Don't hesitate to disagree.

Partnering – it provided an arena that all decision makers were present to decide right then on project issues – sometimes it takes too long to get decisions from MDT. Need to get answers to get the job done. Maybe use partnering on the bigger, more complicated projects again??

Make communication a daily chore – verify quantities daily. MDT needs to provide a breakdown of misc. work so prime contractor has detailed info to then pay subcontractors.

Contractors need to be present on the project from start to finish. It is very important for the subcontractor doing the very initial or final work to have the contractor available.

Truncated What?

Truncated domes. Truncated domes are a form of detectable warnings designed to provide visually impaired and blind pedestrians with viable cues when walking on sidewalks, pedestrian routes and recreational trails. Originally the U.S. Architectural and Transportation Barriers Compliance Board (The Access Board) designed these “bumps” to be installed on all curb ramps within the public rights-of-way. While the concept was sound, the application immediately came under fire from multiple advocacy groups. Ultimately, the Access Board suspended the application of detectable warnings. As of July 28, 2001, that suspension was lifted and state and local governments are now required to install detectable warnings on curb ramps within the public rights-of-way.



The suspension period allowed the Access Board to conduct extensive research into the types of detectable warnings available. The research included different types of materials from plastic compounds to concrete pavers. Installation ranges from cast in place to post-construction application. Whatever the method or material, detectable warnings/truncated domes are now required as part of the design on curb ramps.

A result of the Access Board's research led to the publication of *Detectable Warnings: Synthesis of U.S. and International Practice* (12 May 2000). This publication is available upon request from MDT and is also available via the Access Board's website <http://www.access-board.gov>.

On Line at MDT

View the complete MDT Standard Specifications and 1999/2002 Detailed Drawings on MDT's Internet web site at Contract System Page. Go to <http://www.mdt.state.mt.us/contract/contract.htm>



Rhithron Associates, Inc.

1501 West Central Avenue
Missoula, Montana 59801
406.721.1977

Rhithron Associates, Inc. Missoula,
MT Business Card

New Decal for Montana Registered Contractor



A new decal is available to Montana Registered Construction Contractors. This is the first time that registration status has been visibly displayed. Registration has been required of all contractors with employees since 1995. Independent contractors with no employees are not required to register, but the benefits may warrant registration. A registered contractor may reduce liability issues by preventing liability being passed from a registered contractor to another, help the public identify registered contractors who have workers' compensation for their employees, and add to contractors' credibility. In 2001, there were 10,082 registered contractors in Montana. Registration costs \$70 and is valid for two years. Rebecca has applications or for more information, call MT Department of Labor & Industry Contractor Registration Unit at 406-444-7734.

Legislative Watch

Source: Leanne H. Frost, Western Business, February 2003, Edited by Rebecca Johnson

Please see the proposed bills listed below that directly affect business owners:

- HB108 Eliminates prohibition of contributions from corporations/spending on ballot issues.
- HB276 Creates an economic development fund in the coal severance tax trust fund, and use of earnings to make grants/loans to economic development organizations.
- SB53 Proposes adopting a higher minimum wage rate to \$5.75/hour beginning July 1, 2003 and \$6.25/hour beginning July 1, 2004.
- HB338 Would extend unemployment benefits from 26 weeks to 28 weeks and revise ratios used to calculate unemployment insurance contribution rates.
- SB224 Would enact a 4 percent sales and use tax with certain exemptions.
- HB403 Provides at least 50 percent of the workers on state construction projects must be Montana residents

Additional information of all legislative bills and legislator contact information can be found at <http://leg.state.mt.us>

DBE Web Sites Linked to DBE Directory

Thank you for sending in your company web sites. Up to this date, it was not possible to program the current software to provide a link from the On-Line DBE Directory to your company web sites. But, MDT is currently working to change the directory to a user-friendly Oracle-based directory that will permit a link to your company web site. Look for the new on-line directory in the near future. If you did not submit a web site address before, please do so as soon as possible. Thank you. Rebecca



Northern Analytical, Lab Inc. Billings, MT

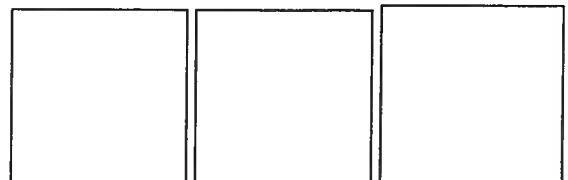
Times, they are a changin' by Darren Kaihlanen, DBE Program Manager

There are many different aspects of a company's operation, when changed, may jeopardize continued eligibility in the program. At the point of certification, a company is determined to be eligible when it has proven by a preponderance of the evidence that the company meets the requirements of the regulations. For example, in order to be eligible for certification the company must be owned (majority) by a socially and economically disadvantaged individual. If there is a change in ownership, however small, that change must be reported to the Civil Rights Bureau within 10 days of the effective change. Although you may notify the Civil Rights Bureau, there is no guarantee that the company will remain certified. All changes are reviewed on a case-by-case basis and a determination is made whether the company still meets the eligibility requirements of the program.

Control is another crucial aspect of certification. Whenever a change is made regarding the control of the company, this too may jeopardize the company's certification. The eligibility criteria are spelled out in the governing federal regulations 49 CFR Part 26, Subpart D Certification Standards as well as the MDT DBE Program. This regulation and program document are available from the Civil Rights Bureau and also available on the following websites:

Federal Regulations – <http://www.access.gpo.gov>
MDT DBE Program – <http://www.mdt.state.mt.us/civilrights>

We understand that for a company to stay competitive and remain viable, changes need to occur for reasons of technology, personnel, market, etc. However, if you are considering a change to your business, I recommend that you contact the Civil Rights Bureau – DBE Section for guidance prior to implementing any changes. We stand ready to assist you in any way we can.



February Business Calendar

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
						1
2	3	4	5	6	7	8
9	10	11 >Managing Change Billings	12 >Business Writing Billings >Indoor Air Quality Missoula >Managing Change Bozeman >OSHA 10-hour General Billings	13 >2 nd Annual Intl Business Cnf Billings >Managing Change Missoula >OSHA Trenching Hardin	14 >8 Hour Hazwoper Training Billings >OSHA Scaffolding Hardin	15
16	17	18 >Basic Supervision Missoula >Taking the Mystery Out of Hiring Polson	19 >Basic Supervision Helena >Budgeting Skills for Prof Billings >Essentials of Credibility Msla >Taking the Mystery Grt Falls	20 >How to Troubleshoot, Tune Up and Maintain PCs Billings >Managing Change Great Falls >Missoula Conf on Fed Personnel Law	21 >8 Hour Hazwoper Refresher Billings >Basic Supervision Billings	22
23	24 >Conflict Management Skills for Women Billings >CPR/First Aid Billings	25 >Forklift Instructor Course Billings >Marketing Mojo Helena >Taking the Mystery Out of Hiring Glasgow	26 >Public Contract Code & Competitive Bidding in Montana Billings	27 >Taking the Mystery Out of Hiring Process Bozeman	28	1
2	March 3	March 4 >Taking the Mystery Out of Hiring Process Sidney	March 5 >28 th Annual MT Economic Outlook Miles City >Taking the Mystery Miles City	March 6 >Introduction to Employment & Labor Law Billings >Safety Conference Billings	March 7	8

2003

28th Annual Montana Economic Outlook Seminar, March 5 Miles City, recent trends and the outlook for MT important industries, reasons businesses relocate to Montana, migration patterns' impact on Montana's economy. Bureau of Business and Economic Research, 243-5113, www.bber.umt.edu/seminars/2003seminar.htm. \$70 per person.

2nd Annual International Business Conference, Feb 13-14 Billings, Passport to Success-Linking the World, Energy for Montana's Future, Medical Distance Learning, 406-652-7603, transtechcenter@qwest.net

8 Hour Hazwoper Refresher, Feb 21 Billings, \$150 Non Member, Associated Employers of Montana/Montana Safety Services Council, 248-6178, 248-4893, acarrillo@associatedemployers.org

Basic Supervision, Feb 20 Bozeman, Feb 21 Billings, Feb 19 Helena, Feb 18 Missoula, Improve morale, boost productivity, set your vision, communicate clearly, Know to discipline employees effectively and legally, National Seminars Group, 800-344-4613, \$179 per person

Budgeting Skills for Professionals, Feb 19 Billings, Make the budget your most reliable management tool, Budgeting basics made easy, budget tools and how to use them, budget monitoring do's and don'ts, \$199 per person, 800-873-7545

Business Writing and Grammar Skills, Feb 12-13 Billings, Feb 10-11 Bozeman, Refresher program that delivers the essential business writing and grammar skills today's professionals must have to succeed. \$295 per person, www.natsem.com, 800-258-7246

Conflict Management Skills for Women, Feb 24 Billings, Learn How to coolly and confidently manage the conflict in your life. \$99 per person, www.skillpath.com 800-873-7545.

CPR/First Aid, Feb 24 1:00-5:00pm Billings, Meets AHA and Red Cross Criteria, \$60.00 Non-Members, Associated Employers of Montana/Montana Safety Services Council, 248-6178, 248-4893, acarrillo@associatedemployers.org

Essentials of Credibility, Composure and Confidence, Feb 19 Missoula, How to project confidence and professionalism, keep your perspective under pressure, and maintain your sense of self-worth & self-assurance. www.skillpath.com, 800-873-7545, \$99

Forklift Instructor Course, Train the Trainer, Feb 25 Billings, 3 half-day formal training classes focused on OSHA's final rule of PIT operation training. \$100 Non-Member, Associated Employers of Montana/Montana Safety Services Council, 248-6178; 248-4893, acarrillo@associatedemployers.org

How to Troubleshoot, Tune Up and Maintain PCs, Feb 20-21 Billings, Learn computer experts' secrets to quickly solving PC hardware, software, Internet and peripheral problems and provide technical support, \$399 per person, 800-873-7545 CompuMaster

Indoor Air Quality, Feb. 12 Missoula, Free, Montana DOL Occupational Safety and Health Training Institute, 444-6401, www.montanasafety.com

Introduction to Employment and Labor Law, March 6 Billings, How to Hire the Best, Employee Benefits, Compensation Laws, Lorman Education, www.lorman.com 888-768-5565, \$239 per person

Managing Change: In an Environment of Change, Feb 11 Billings, Feb 12 Bozeman, Feb 13 Missoula, Feb 20 Great Falls, Helping employees to let go of the old and accept the new, \$195 Non-Members, Associated Employers of Montana/Montana Safety Services Council, 248-6178, 248-4893, acarrillo@associatedemployers.org

Marketing Mojo, Feb 25 Helena, 6:00-8:00pm, Understand your customer to increase profits. Customer purchasing decisions, market research, and promotion techniques discussed. \$25 per person, Ross Johnson, Business Resource Center, 443-0800

OSHA 10-hour General Industry, Feb 12-13 Billings, Feb 26-27 Plentywood, Free, Montana DOL Occupational Safety and Health Training Institute, 444-6401, www.montanasafety.com

OSHA Scaffolding Requirements, Feb 14 Hardin, Feb 27 Kalispell, Free, Montana DOL Occupational Safety and Health Training Institute, 444-6401, www.montanasafety.com

OSHA Trenching & Excavation Requirements, Feb 13 Hardin, Free, Montana DOL Occupational Safety and Health Training Institute, 444-6401, www.montanasafety.com

Public Contract Code & Competitive Public Bidding in Montana, Feb 26 Billings, Lorman Education, www.lorman.com, 715-833-3959, \$289 per person

Safety Conference, March 6 & 7, Billings, Focused on all aspects of safety in the workplace and our communities. Up-to-date information for those responsible for general industry workplace safety and how it affects the company's bottom line. Many issues that face construction contractors. Montana Safety Council, Local Emergency Planning Committee, No Information on Fees, safety@mssc.org or 248-6178

Taking the Mystery Out of the Hiring Process, Montana State Fund, Feb 18 Polson, Feb 19 Great Falls, Feb 25 Glasgow, Feb 27 Bozeman, March 4 Sidney, March 5 Miles City, March 6 Billings, March 14 Helena. Workshops to help employers find employees who value a safe work environment and check if a job applicant has a history of risky work practices. 800-332-6102 5892.

The Missoula Conference on State and Federal Personnel Laws, Feb 20-21, What's new in federal laws, should you get employment practices liability insurance, clarify the basic requirements of ADA alert and FMLA, \$399 Human Resources Council, 800-601-4636

MDT DBE SUPPORTIVE SERVICES SURVEY (January to December 2002)

Please rate the overall services provided by the DBE Supportive Services program? (Circle your response
1-Awful, 2-Somewhat Bad, 3-OK, 4-Good, 5-Very Good) 1 2 3 4 5

Please rate the individual services provided by DBE Supportive Services for benefiting your company?
(Circle your response)

DBE Newsletter	1	2	3	4	5
Reimbursement Program	1	2	3	4	5
One-on-One Consulting	1	2	3	4	5
DBE Room	1	2	3	4	5
Training/Workshops	1	2	3	4	5

Does the DBE Supportive Services provide prompt, friendly customer service? Yes No

Do you read the DBE newsletter? (Circle your response) Yes No

Is there other information you would like to see in the DBE newsletter? _____

Have you attended any training offered by DBE Supportive Services? (Circle your response) Yes No

What training would you like to see DBE Supportive Services sponsor that would benefit your company or employees? _____

Does the DBE reimbursement program help your business? (Circle your response) Yes No

How can we improve the DBE reimbursement program to meet your business needs better? _____

What improvements can be made to the DBE room to meet your business needs better? _____

What assistance could DBE Supportive Services provide you that you are not currently receiving that would benefit your company? Other Comments??

THANK YOU for completing the survey!! Please fax, mail, or e-mail your completed survey to Rebecca Johnson, 800-883-5811, rejohnson@state.mt.us, 406-444-7685 FAX, PO Box 201001, Helena, MT 59620-1001.

MDT Overview Workshop, MSU, Jan. 7, 2003

Speakers: Patricia Saindon and Mark Wissinger

MDT is working to get a better mix of highway construction projects and some smaller projects. MDT needs to be more efficient with MDT personnel to handle the increased volume of projects but not hold up the work.

Plan holders list is updated two weeks and one week before the bid letting. The published list encourages more open competition and more companies to be involved in the bidding process. The plan is to keep this list even with on-line plans – contractors will still need to register for plans.

There is more current competition bidding on MDT highway construction projects. The State of Washington recently took a hit to their highway construction budget, more firms from Washington bidding on Montana projects.

The current TEA-21, Transportation Equity Act, authorizes the federal-aid highway program through September 2003. In 2004, a new transportation bill will be in place that replaces current TEA bill.

MDT currently has Memorandum of Understanding on six reservations, every project on reservation also has a project specific agreement and a mandatory pre-bid conference.

The Transportation Board is now regularly scheduled to meet 10 days after the bid letting to award the contracts. The notice to proceed for the project construction to begin is usually 4-5 weeks after the award.

Not Camera Shy!!

Photos Needed of DBE
Company staff and/or projects.

Please e-mail to Rebecca
rejohnson@state.mt.us

DBEs – Sign up today!! No time to take classes? Need online reference books? Want that just-in-time training? Online learning with ElementK may be the answer. Learn at any time and at your own pace at work or home. Access more than 1300 courses via the Internet. Check out complete library courses at ElementK site at www.elementk.com/corp/Catalog.html

Element K offers both instructor-led courses and self-paced courses and many additional features:

- An **online instructor-led course** is led by an industry expert, pertains to a specific computing topic, and generally runs from 4 to 8 weeks in length.
- A **self-study course** is taken at the student's convenience, where students can choose their own pace.
- **Books 24/7** : Access to books 24/7 on-line, a large resource of books from leading publishers to use as reference with search capabilities.

Library	Summary of Courses	1-Yr
Office Productivity Over 260 courses	Word, Excel, PowerPoint, Access, Outlook, FrontPage, MS Project, and many more	\$ 40
Computer Professional Over 580 courses	C++, Dreamweaver, HTML, Java Illustrator, Oracle, MS Networking, NetWare, etc.	\$150
Design & Media Over 180 Courses	Acrobat, Corel Draw, Flash, Dreamweaver, FrontPage, Illustrator, PageMaker, Quark	\$ 70
Project Management 22 courses	PMI certification, and courses in Microsoft Project	\$ 70
Work Place Safety 36 courses	ADA; Crane and Rigging Safety; Drug-Free Workplace; Fire Safety; Traffic Control, etc.	\$ 50
E-Business 13 courses	E-learning for the new economy.	\$ 40
Comprehensive Bus Management 100 courses	Business management and leadership courses from the Harvard School of Business	\$220
Business Performance Support 83 courses	QuickKnowledge: Applying Leadership Basics, Effective Communications, etc.	\$ 50
High Performance Management 3	High Performance Management	\$100
Management Library 17 courses	Coaching, Realizing Change, Managing Across Differences, Teams that work	\$150
Finance Library 5 courses	Finance for Managers, Financial accounting	\$110
Situational Leadership Library	Situational Leadership	\$ 90

MT Contracting Opportunities

MDT Highway Construction Projects Invitation for Bids

For the quickest and most complete information of these projects as they are advertised for bid, go to the web site <http://mdt.state.mt.us/ctrct/contract.htm> and click on Invitation for Bids. While the newsletter has notices posted, do not rely on this information alone.

Invitation for Bids, Letting of February 27, 2003

Sealed bids on the following projects will be received by the MDT-Highways Division, Contract Plans Section, Room 101, 2701 Prospect, Helena, MT until 9:00am on February 27, 2003. Bids proposals, plans, cross-sections, and full instructions to bidders are on file for examination, and may be obtained from the Contract Plans Section or go to web site <ftp://ftp.mdt.state.mt.us/contract/orderform.pdf> for order form. These documents may be requested by FAX (406) 444-7236, by mail or by calling (406) 444-6216, 6212 or 6215.

1. **D1-Seismic Rehab, Federal Aid Project No. BH 0002(507)** Seismic bridge rehabilitation of three structures on the D1 – Seismic Rehab project in Flathead County. DBE contract goals are 2.0%.
2. **1998-D1-Electrical, Federal Aid Project No. STPHS 0002(646)** Signing, electrical and rumble strips on the 1998-D1-Electrical project in Flathead County. DBE contract goals are 0.0%.
3. **East of Bonner-East, Federal Aid Project No. NH 24-1(57)1** Cold Milling and plant mix surfacing with seal and cover on 6.5 kilometers of the East of Bonner – East project in Missoula County. DBE contract goals are 0.0%.
4. **Blackfoot River-12 km NE of Helmville, Federal Aid project No. BR 41-1(16)32** Grading, gravel, plant mix and the construction of a 57-meter steel girder structure on the Blackfoot River – 12 km NE of Helmville project in Powell County. DBE contract goals are 0.0%.
5. **Whitehall St.-Whitehall, Federal Aid Project No. STPP 55-3(9)13** Grading, gravel, plant mix surfacing, seal & cover, storm drains and lighting on 0.9 kilometers of the Whitehall Street-Whitehall project on State Route 55 in Jefferson County. DBE contract goals are 0.0%.
6. **Shonkin Cr.-South of Fort Benton, Federal Aid Project No. BR-STPP 80-1(17)4** 53-meter concrete prestressed girder structure, approaches and slide correction on the Shonkin Creek-South of Fort Benton project located in Chouteau County. DBE contract goals are 0.0%..
7. **Lookout Pass-East, Federal Aid Project No. IM 90-1(141)0** PCCP Replacement, Joint and Crack Sealing and Bridge Repair on 44.8 kilometers of the Lookout Pass-East Road on interstate 90 in Mineral County. DBE contract goals are 0.0%.
8. **Moiese-Northeast, Federal Aid Project No. STPS 212-2(11)5** Resurfacing, Seal and Cover on 20.26 kilometers of Montana Secondary 212, the Moiese-NE Road in Lake County. DBE contract goals are 0.0%.
9. **Cascade-East, State Project No. SFCS 330-1(13)31** Plant mix overlay, leveling, seal and cover on the Cascade-East project in Cascade County. No DBE contract goals.
10. **North Montana Ave-Turn Lane, Federal Aid Project No. STPHS-BR 5809(14)** Grading, gravel surfacing, plant mix bituminous surfacing 18-meter composite steel and concrete girder structure on the North Montana Avenue-Turn Lane project in Lewis and Clark County. DBE contract goals are 0.0%.

MDT Purchasing Dept. Bid Invitations. For more information (406)444-7226, <http://wwwmdt.state.mt.us/bids.htm>

306772 Great Falls Guardrail. Bid Date: Feb. 29,'03

306773 E. Glacier-Merriweather Crack Seal. Bid Date: Feb. 27,'03

306774 Crack Sealing Hinham East & West. Bid Date: Feb. 25, '03

Other Opportunities:

SIP Canyon Creek Battlefield Memorial, Yellowstone County, MT, Construction of an interpretive center pavilion, paved access road, parking area, sidewalk, signing, striping, cattle guard, storm drainage, fence, and existing monument relocation at Canyon Creek Battlefield Memorial Site. Bid Date: Feb 13th, Morrison-Maierle, 406-656-6000.

Missouri Headwaters State Park Improvements FWP 7996608, Three Forks, MT. Montana Fish, Wildlife and Parks, Parking lot renovation, sidewalk, landscape and irrigation installation, installation of a restroom facility, and drilling of a well for irrigation. Bid Date: Feb. 19th, Carl Thuesen, 406-252-5545

Twin Bridges School, School District #7, Projects consists of construction of two new additions to the existing school buildings. Bid Date: Feb. 27th, Spectrum Group Architects, Billings, 248-4443

MT Contracting Opportunities (Continued)

Landusky Top Soiling Project, MT Dept of Environmental Quality, Located in Phillips County, Pre-Bid Feb. 11th, The project is designed to haul topsoil from the Montana Gulch Topsoil Stockpile to the Queen Rose Pit (58,100 bank cubic yards) and the Mill Gulch Topsoil Stockpile to the L91 Pad and to the L87 Pad (635,600 bank cubic yards) Bid date: Feb. 18th, DEQ 406-259-2412, For Plans call Spectrum Engineering.

MT Pole and Treating Plant, MT Dept of Environmental Quality, Located in Butte, Install trees and wind fencing to supplement the ongoing application of water for dust control emanating from the site. Additional work items at the site include installation of a drip irrigation system to water the newly planted trees, connecting this irrigation system to an existing on-site water well, and installation of a windsock. Bid Date: Feb. 26th. Pre Bid Feb. 12th. Lisa Dewitt 444-0198.

Going-to-the-Sun Road Wall Repair, Glacier National Park MT. Project consists of grading, drainage, paving, walls, guardrails, and concrete & traffic control. Bid date: March 15. Federal Highway Administration, Western Lands Division, 610 E. 5th St., Vancouver, WA 98661-3801, contracts@wfl.fha.dot.gov, 360-619-7520

DAHA24-03-B-0001 Construction - Munitions Load Crew Training Complex, MT Air National Guard Base, Great Falls, MT Bid Date: March 18, 2003. Construction will include site-work, utilities, concrete, masonry, metals, roofing, mechanical and plumbing, and electrical. Bid Documents available approx. February 14, 2003. Register on the USPFO for MT web site, www.montanaguard.com/uspfo_home.htm. Kelly Traynham, (406) 324-3407 kelly.traynham@mt.ngb.army.mil <http://www.eps.gov/spg/USA/NGB/DAHA24/DAHA24-03-B-0001/listing.html>

DACA67-03-R-0207 Project consists of constructing 18 units in duplex configuration, 8 units, 4 buildings, at Minuteman Village and 10 units, 5 buildings, at Matador Manor area, Malmstrom Air Force Base including landscaping, yard fencing. Solicitation available to download at: <http://www.nws.usace.army.mil/ct>. For additional contracting opportunities, visit Army Single Face to Industry at <http://acquisition.army.mil/>. Thomas DeGonia, 206.766.6449 Thomas.R.DeGonia@nws02.usace.army.mil <http://www.eps.gov/spg/USA/COE/DACA67/DACA67-03-R-0207/listing.html>

DACW67-03-R-0008, 8a Competitive Multiple Award Remediation Contract (MARC) for WA, OR, ID, MT. Bid Date: March 18, '03, US Army Engineer District, Seattle - Civil Works, Competition limited to eligible 8(a) Concerns. Work consists of multiple award, multiple year contract for multidisciplinary hazardous, toxic & radiological waste remediation (HTRW), Interim Remedial Action projects (IRAs) & Remedial Action projects (RAs), short term groundwater well monitoring, short term operation of treatment facilities, other related environmental compliance, abatement, prevention, minimization, restoration & improvements projects in support of both military & civil funded programs in the four state geographical region. To be eligible for contract award a firm must be registered in the DoD Central Contractor Registration (CCR) database. Register via the CCR Internet site at <http://www.ccr.gov> or by contacting the DoD Electronic Commerce Information Center at 1-888-227-2423 Firms must register via the Internet at the following address: <http://www.nws.usace.army.mil/ct/> in order to receive notification of solicitation/amendment posting. Solicitation available for download approx. 14 February '03. Contact Bonilie Lackey, 206-764-4481 bonilie.l.lackey@nws.usace.army.mil <http://www.eps.gov/spg/USA/COE/DACA67/DACW67-03-R-0008/listing.html>

Multiple Award Remediation Contracts (MARC) for WA, OR, ID, MT. DACW67-03-R-0009, Bid Date: March 18, '03 US Army Engineer, Seattle District. Work consists of multiple award, multiple year contracts to perform multidisciplinary hazardous, toxic and radiological waste remediation (HTRW), Interim Remedial Action projects (IRAs) & Remedial Action projects (RAs), short term groundwater well monitoring, short term operation of treatment facilities, & other related environmental compliance, abatement, prevention, minimization, restoration & improvements projects in support of both military & civil funded programs in the four state geographical region. Requirement is 100% set aside for small business. Firms must register via Internet at following address: <http://www.nws.usace.army.mil/ct/> to receive notification of solicitation/amendment posting. Solicitation available for download approx. 14 February '03. Bonilie Lackey, 206-764-4481 bonilie.l.lackey@nws.usace.army.mil <http://www.eps.gov/spg/USA/COE/DACA67/DACW67-03-R-0009/listing.html>

Install Transformer, Ft. Peck, MT, DACW45-03-B-0006, US Army Corps of Engineers. Bid Date: March 3, 2003. Solicitation is open to both large & small business participation. For onsite inspection of proposed work contact Don Streib, US Army Corps of Engineers, PO Box 208, Fort Peck, MT 59223 Phone 406-526-3411. Work consists of disconnecting & removing existing auto transformer, demolition of existing concrete pad foundation, construction of a new, larger concrete pad foundation & installation of the new & much larger transformer. The U.S. Army Corps of Engineers considers the following goals reasonable & achievable for fiscal year 2002: (a) Small Business: 61.4% of planned subcontracting dollars. (b) Small Disadvantaged Business: 9.1% of planned subcontracting dollars*. (c) Women Owned Small Business: 5.0% of planned subcontracting dollars*. (d) Severely Disabled Veterans 3.0% of planned subcontracting dollars. (e) Hubzones 2.5% of planned subcontracting dollars. Barbara Lindstrom, 402-221-4275 at barbara.a.lindstrom@usace.army.mil <http://www.eps.gov/spg/USA/COE/DACA45/DACW45-03-B-0006/listing.html>

DBE Supportive Services , Civil Rights Bureau
MT Department of Transportation
PO Box 201001
Helena, MT 59620-1001
800-883-5811
TTY (800) 335-7592

ADDRESS CORRECTION REQUESTED

STATE DOCUMENTS COLLECTION

FEB 12 2003

MONTANA STATE LIBRARY
1515 E. 6th AVE.
HELENA, MONTANA 59620

Go On-Line

These web sites may be useful for your business....

www.bizmt.com

Montana's official business web page. Sponsored by the Governor's Office of Economic Opportunity. On the web site, you will find MT Searchable Properties Service, MT Business Directory (Coming Soon), Information on state economy, wages, taxes, and infrastructure (energy, telecommunications), and MT business resources

<https://app.discoveringmontana.com/rps/>
Registered Principals Search – search for businesses associated with an individual.



North Wind Environmental, Idaho Falls, ID



Upcoming Dates

- Bidding/Estimating Workshop, March 11th Helena and March 13th Billings
- DBE Room Mar 26, '03, Colonial, Helena
- Bid Letting Mar 27, '03, MDT Helena

Bidding Tips

Suggestions from prime contractors, DBE Room, Feb. 26, 2003.

Bid every project every month for your work. Get lots of practice bidding projects so when that project you really want comes up, you are confident in your bid. You are also getting your name recognized by the prime contractors. They know you are serious and you want to work.

Bid on every project, no matter where the project is located. If the project is located at a great distance from your business, bid it with higher prices. Sometimes, you may be the only quote the prime contractor gets for that work. Submit your bids early – don't wait for the last hour to provide quotes.

Don't call the prime contractor the day after bid letting to learn how your bid compared. It is a very hectic time for the prime contractor. Instead, wait a few days to contact the prime contractor about your bid.

MONTANA DBE PROGRAM

Darren Kaihlanen, DBE Program Manager
dkaihlanen@state.mt.us (406) 444-9229

Debbie Riemann, DBE Program Specialist
driemann@state.mt.us (406) 444-6337

Rebecca L. Johnson, DBE Supportive Services Manager
rejohnson@state.mt.us (800) 883-5811, (406) 444-7287

Vicky Koch, Civil Rights Bureau Chief
vkoch@state.mt.us (406) 444-6335

Office Location/Address: 2701 Prospect Avenue/PO Box 201001, Helena, MT 59620-1001, (406) 444-6331, Fax (406) 444-7685 TTY (800) 335-7592
Visit us on-line at www.mdt.state.mt.us and click on Civil Rights Bureau



Geoprobe performed by Bionomics Environmental, DBE, teamed with Atlatl, Butte, MT

DBE Participation/Goal Comparison

For MDT federally-funded projects, the current DBE participation is 6.25% as of February 27, 2003. The DBE goal (pending FHWA approval) is 7.36% for FY2003.

Now is the Time!!

Now is the time to go after subcontract work for Summer/Fall. March Bid Letting has 12 projects and at this date there are 33 projects to be let in April. The number of projects let will begin to taper off. DBE Supportive Services can help you with submitting bids, and networking with prime contractors.

INSIDE THIS ISSUE

1	Dates, Bid Tips, DBE Compare, Now is the Time
2	Contractor's Website, DBE Co. Update, , Civil Rights Bureau Website, DBE Reimbursement, Quote, Bond/Lending Program
3	Credit Less Than Perfect?, Getting Credit Reports
4	Compensating Travel Time, Airport DBE Goal
5	Customer Needs, Scam-SBA, Workshops
6	MT Contracting Opportunities, Retainage
7	MT Contracting Opportunities Continued

Contractor's System Website – Changes Coming

Question and Answer Forum for project-specific questions about advertised projects available on Contractor's System Web Page for April letting. Post your questions about projects online. Frequently Asked questions will be available March 27th.

List the names of Project Managers who will be assigned to each project on Invitation for Bids.

Testing Phase for making plans available for downloading at your convenience and at no charge. To access the test site go to:
<ftp://ftp.mdt.state.mt.us/contract/>
Click on lettingtest folder.

The following information is posted to the Contractor's System Page:
Detailed Drawings
Supplemental Specifications
2003 Invitations for Bids
Bid Letting and Award Schedule
Special Notices and Latest Updates
Other Data

Check out this information at:
<http://www.mdt.state.mt.us/contrct/contract.htm>

DBE Reimbursement Program

The DBE Reimbursement Form is attached. Forms are also available on MDT DBE web site. \$600 for 2003 year is available to Montana DBE firms for reimbursement of business development or training expenses. Start using the funds now.

Quote of the Month

The next best thing to winning is losing! At least you've been in the game.

Nellie Hershey Smith

Montana DBE Company Monthly Update Recently Re-Certified DBE Companies

The Heartland Consortium of Canton, OH - owner Verni Nerron
Consultants for: Compliance Issues (DBE program); Environmental Justice including social, cultural & environment impact assessment and public involvement in environmental issues; Right of Way Negotiation & Closing; Transportation Studies; Marketing Plans; Market Research & Analysis; Feasibility Studies; Socio-Economic Studies; Job Analysis & Performance Reviews; Affirmative Action/EOO Plans; Race, Ethnicity, Feminism & Gender Identification; Training in cultural, ethnic & gender diversity; Broker of transportation-related and non-transportation related commodities

Did you know??

Civil Rights Bureau's web site has lots of useful information like:

- FHWA 1273 Form (required contract provisions for construction contracts – required with every subcontract)
- Certified Payroll Form WH-347 with instructions
- Labor Complaint Form
- Latest Davis Bacon Wage Rate Schedule
- Employment Referral Source List
- EEO Annual Submission Requirements Sample Format
- EEO Submissions List – who has submitted Annual EEO (Is your company on the list???) – you must have these documents submitted to Civil Rights Bureau before starting any highway construction project)

To take a look, go to <http://www.mdt.state.mt.us/> Click on Civil Rights Bureau, scroll down to EEO Contract Compliance.

Contracting Agent List

List of State and Federal Contracting Agents, received at the Small Business Opportunities Conference. Call Rebecca for a copy of the list.

USDOT Bonding Program/Lending Program

USDOT provides a Bonding Guaranty Program (guarantees 80% of bond and is a very aggressive program for DBEs to get the bonding they need to get the job and do the work. Program is for highway-related work, but The Bond Shop also seeks bonding for non-highway related work/contractors.

USDOT also provides a short-term loan program on highway-related projects. Get the money up front to help finance the project. Competitive rates.

Contact Rebecca for an application or for more information.

Credit Less Than Perfect? Tips for Improving Credit and Getting That Loan

1. Get credit reports from the three major credit bureaus along with your Credit Score so you will have the same information a lender sees.
2. Use consumer credit counseling. (It is available and free in many places.)
3. To lessen the impact of negative information on a report if you have a logical explanation, put a personal statement into the report.
4. Look over how many open items are in the report and consolidate them so you pay less interest and fees. Too many open items can lower your Credit Score.
5. Don't open more credit card accounts than you actually need and use, since too many accounts can be a "red flag" to a lender.
6. Pay down debt as quickly as possible. If you pay only the minimum on a credit card, for instance, not only will it take you forever to pay it off, it can appear you are over your head in debt (or potentially so) and not credit worthy.
7. If you can't pay a debt, the sooner you talk to your creditor and work out a repayment plan, the better. Sometimes a creditor is able to lower the interest or perhaps even forgive part of the debt. The creditor does not want you to default on your debt any more than you do so; therefore, he may take less if you follow through and do what you say you will. Be honest. The worst thing you can do is ignore the problem in hopes that it will go away.
8. Be aware that all credit is not the same. The "kind" of credit you use can affect your Credit Score negatively. If you buy something at retail store advertising no interest for 12 months, be aware that if you don't pay it off within the 12 months, it might cost you more in interest and fees than a bank loan. Sometimes these contracts have early payment penalties. ("If it looks too good to be true, it probably is.") Using these other finance companies when you could have obtained your own credit, may be viewed negatively and can lower your Credit Score, which may result in a loan at a higher interest rate because you are viewed as less credit worthy.
9. An active Line of Credit from a bank that is used responsibly can improve your Credit Score.
10. You are your own best asset. Meeting your lender in person and presenting a well-planned and presented application can make the difference. Be prepared. If you don't "hit it off" - go somewhere else until you find the right bank.
11. Don't get discouraged. If you do, it shows. Be positive. The last two years of your credit history are the most important. You can work out past problems by showing progress toward good money management and it will pay off.

Gathered from roundtable discussion at Mystery of Credit Workshop, January 14, 2003, Business Resource Center, Helena.

Getting Your Credit Report and Score

You can obtain your Credit Report directly from each of the three major credit bureaus listed below. There is a fee of about \$8.50 each in Montana. You need to ask if it includes your Credit Score that you should also get. You may be able to get all three at once from any number of internet services, two of which are listed below.

Trans Union: Phone (800) 888-4213, Fax (610) 690-3294, <http://www.transunion.com>

Experian: P.O. Box 2002, Allen, TX 75013, <http://www.experian.com>, (888) 397-3742

Equifax: (800) 685-1111, <http://www.equifax.com>

Consumer Credit Score Online: <http://www.credit-score-online.com>

Your Credit History: <http://www.yourcredit.com>

All three of the bureaus have separate phone numbers to call for items in dispute as well as suspected fraud which can be obtained by contacting Rebecca Johnson, (800)883-5811 or rejohnson@state.mt.us

Compensating Non-Exempt Employees for Travel Time

Time spent traveling throughout the State of Montana is always a time consuming endeavor. It is important for supervisors, managers, and payroll departments to understand when they must compensate non-exempt employees for travel time. Different situations may determine if the travel time is work time or not. The following variations are described in the administrative rules of Montana (24.16.1010, ARM) promulgated by the Montana Department of Labor:

Home to Work - (Ordinary Situation) Normal travel from home to work is not work time. This is true whether an employee works at a fixed location or at different job sites.

Home to Work - (Emergency Situation) Travel to the job and back home by an employee who receives an emergency call outside of his regular hours to report back to his regular place of business to do a job is work time.

Home to Work in Another City - (Special One-Day Assignment) All time spent traveling to another city would be considered work time except for the travel from home to public transportation, such as a bus depot. This would be the normal home to work travel. The usual mealtime would be non-compensated also.

Travel All in the Day's Work - Time spent by an employee in travel as part of his principle activity, such as travel from job site to job site during the workday, must be counted as hours worked. If the employee goes home instead of returning to the employer's premises from the last job site, this travel is home-to-work travel and is not time worked. If an employee is required to report at a meeting place to receive instructions or to perform other work there, or to pick up and carry tools, the travel time from the designated place to the work place must be counted as hours worked.

Travel Away from Home Community - Travel that keeps an employee away from home overnight is travel away from home and is clearly work time when it cuts across the employee's workday (employee is simply substituting travel for other duties). This time is not only hours worked on regular working days during normal working hours, but also during the corresponding hours on nonworking days. For example, if an employee normally works 8 a.m. to 5 p.m. Monday through Friday, the travel time during these hours on Saturday and Sunday is also counted as work time. If the employee requests to drive his car in place of public transportation that has been offered, this travel time is counted as hours worked only to the extent of time it would have taken to travel if the employee had been using public transportation.

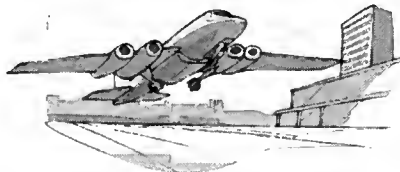
Work Performed while Traveling - Any work which an employee is required to perform while traveling must be counted as work time. Sleep in adequately furnished facilities would not be counted as hours worked.

One critical aspect of compensating an employee for travel time is appropriately classifying an employee as exempt or non-exempt. If an employee is misclassified as exempt, they may be eligible for uncompensated travel time. EBR specializes in assisting employers with a wide range of wage and hour questions including travel time compensation and the classification of employees as exempt or non-exempt.

For additional questions or other human resource related needs, please contact Employee Benefit Resources, LLP and ask for John Cummings, at 1-800-765-9429 or 1-406-449-5500 (EXT 261).

Billings Airport DBE Goal

A DBE Goal of 7.15% has been submitted to the FAA for the Billings Logan International Airport for the current year and is awaiting approval.



Lisa Counts, Morning Star Trucking, Belgrade, MT

March Business Calendar

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
						1
2	3	4	5	6	7	8
9	10 >MS Project Missoula >Intro to Powerpoint (March 10-12) Helena >Excelling as a Supervisor Missoula	11 >QuickBooks Pro-Level 1 Missoula >Highway Const. Bidding Helena >Bankruptcy: Helena >Plan/Build It Right Billings >Excelling as a Supervisor Helena >OSHA Trenching Missoula	12 >Conquering Payroll Billings >Excelling as a Supervisor Bozeman >OSHA Trenching Bozeman	13 >Highway Const. Bidding, Billings >Security Seminar Butte >MS Publisher Missoula >Excelling as a Supervisor Gt Falls >OSHA 10-hour Construction Butte	14	15
16	17 >How to Manage Multiple Priorities Gt. Falls >Customer Service Missoula >How to Design Newsletter (Mar 17-18) Billings	18 >How to Manage Multiple Priorities Missoula >Discovering Microsoft Access Mar 18-19 Gt Falls >Employee Record Keeping Billings >How to Build Power Point Butte	19 >How to Build Power Point Billings	20	21 >Workers' Comp Billings	22
23	24 >How to Manage Multiple Priorities Billings	25 >How to Manage Multiple Priorities Miles City >How to Design Newsletter Helena >Employee Record Keeping Bozeman	26 >Dale Carnegie Course Missoula >Employee Record Keeping Missoula >OSHA 10-Hr General Industry Hamilton	27 >How to Design Newsletter (Mar 27-28) Missoula	28	29
30	31 >Today's OSHA Missoula	April 1 >Creating the Work Culture Missoula >Today's OSHA Great Falls	April 2 >Today's OSHA Helena	April 3 >Collection Law Helena >Today's OSHA Bozeman	April 4 >Today's OSHA Billings	5

2003

Bankruptcy: A Creditor's Perspective, Mar 11, Helena, \$309, Lorman Learning, 888-678-5565, www.lorman.com

Collection Law, Apr 3, Helena, \$269 Lorman Learning, 888-678-5565, www.lorman.com

Conquering Payroll in Montana, Mar 12, Billings, \$289, Lorman Learning, 888-678-5565, www.lorman.com

Creating the Work Culture You Need, Apr 1, Missoula, Cost?? Barb Kennedy, 406-542-5789

Customer Service: the Spring Missoula Conference, Mar 17, Missoula, Focusing on techniques and skills that lead to customer service success and satisfaction. SkillPath Seminars, 800-873-7545, www.skillpath.com

Dale Carnegie Course-Training for businesses, groups, and individuals, Mar 26 Missoula, Maximize their performance, and add more value to the organization, Cost?? 406-652-4442, dpals@dale.carnegie.com

Discovering the Secrets of Microsoft Access, Mar 18-19, Great Falls, \$399, How to build, manipulate, and maintain a database. CompuMaster, 800-867-4340, www.compumaster.net

Employee Record Keeping in Montana, Mar 18 Billings, Mar 25 Bozeman, Mar 26 Missoula, \$195, Assist employers with the information needed to maintain records and reduce liabilities. Associated Employers of Montana, 248-6178,

Excelling as a First-Time Supervisor, \$149, Mar 10 Missoula, Mar 11 Helena, Mar 12 Bozeman, Mar 13 Great Falls, Learn the skills every new or prospective supervisor needs to succeed, CareerTrack, 800-556-3009, www.careertrack.com

Highway Construction Bidding and Estimating, Mar 11 Helena, Mar 13 Billings. Learn MDT bidding process and skills to develop bid proposal. Free, Rebecca Johnson, MT Dept of Transportation, 800-883-5811, rejohnson@state.mt.us

How to Build Powerful Power Point Presentations, Mar 18 Butte, Mar 19 Billings, Apr 10 Helena, \$249, to create powerful and persuasive presentations, CompuMaster, 800-867-4340, www.compumaster.com

How to Design Newsletters, Mar 17-18 Billings, Mar 25-26, Helena, Mar 27-28 Missoula, \$395. Learn essential graphic design and layout skills that will make every project you produce more visually powerful & effective, National Seminars Group, 800-258-7246, www.natsem.com

How to Manage Multiple Priorities, Mar 17 Great Falls, Mar 18 Missoula, Mar 24 Billings, Mar 25 Miles City. How to get and keep control of concurrent projects, competing priorities, and critical deadlines, \$199, SkillPath Seminars, 800-873-7545, www.skillpath.com

Introduction to Powerpoint, Mar 10-12 Helena, \$210, The Computer School, 406-442-3366.

MS Project-Creating a Project, Mar 10 Missoula. A project management class on MS Project. \$119 WaterColor Computer Training, 406-542-1573, info@watercolorct.com

MS Publisher, Mar 13 Missoula, \$119. A desktop publishing on MS Publisher. Water Color Computer Training, 406-542-1573, info@watercolorct.com

OSHA Trenching & Excavation Requirements, Mar 11 Missoula, Mar 12 Bozeman, Free, MT DOL Safety and Health, 406-444-6401

OSHA 10-hr Construction, Mar 13-14 Butte, Free, MT DOT Safety and Health, 406-444-6401

OSHA 10-hr General Industry, Mar 26-27 Hamilton, Free, MT DOT Safety and Health, 406-444-6401

Planning and Building It Right, Mar 11 Billings, Cost??. An infrastructure planning, financial, and management workshop, 406-252-7400, MT Dept of Commerce.

QuickBooks Pro-Level 1, Mar 11 Missoula. A financial/accounting class for QuickBooks Pro, Level 1, WaterColor Computer Training, 542-1573, info@watercolorct.com

Security Seminar, Mar 13 Butte, Cost?? Security of your business organization, from terrorism, criminal activity, or computer sabotage, Butte Chamber, 723-3177.

Today's OSHA: A Compliance Update, Mar 31 Missoula, Apr 1 Great Falls, Apr 2 Helena, Apr 3 Bozeman, Apr 4 Billings, \$189, Learn how to avoid violations. Learn OSHA regs that often trip up managers, #1 OSHA violation. National Seminars Group, 800-258-7246, www.natsem.com

Worker's Compensation, Mar 21 Billings, \$279, Lorman Learning, 888-678-5565, www.lorman.com



**MONTANA DBE REQUEST FOR TRAINING &
BUSINESS DEVELOPMENT REIMBURSEMENT**

(Please fax form to 406-444-7685 or mail to PO Box 201001, Helena, MT 59620-1001)

Firm Name and Tax ID #:

Firm Address and E-Mail Address:

Firm Telephone # and Fax #:

Firm Owner's Name:

Training Information (Location, Dates, Title of Workshop/Conference, and Attendee Names) or
Description of Business Development Expense:

Estimated Total Cost of Training (Registration Fees) or Business Development Expenses:

Reason for Training or Business Development Request (How will the company benefit?):

**I verify the reimbursement information on this form to be
true and accurate.**

Business Owner Signature

Date

To process payment, send copies of expense receipts and documentation showing completion of training.

SCAM – Be on the Alert!!

(Source: Helena Independent Record, 3-2-03)

Montana small businesses should be alerted to a recent telephone scam from callers claiming to represent the US Small Business Administration.

Rena Carlson, SBA spokesperson, warned that businesses should be wary of sharing financial information over the phone. She also noted that when the SBA does call businesses, they will identify themselves, give a reason for the call and provide a number to call back.

Workshops to Watch For!

7th Annual Intermountain GIS Conference, Apr 6-10, \$80, Coeur d' Alene, ID, Explores how we can better leverage the potential of GIS technology for the management of our communities. 800-688-5253

Storm Water Regulation Compliance, Mar 31-Apr 4 Butte, How to select, install and inspect construction site erosion and sediment control BMPs for MPDES storm water permit compliance, \$150, MCA/DEQ Small Business Assistance Program, 442-4162



Understanding Customers' Needs

From First-Rate Customer Service, Alexandria, VA

Is losing one customer really a big deal? Yes! Every customer you lose tells about 11 other people about the poor treatment, and they will each tell 5 more. If only one in four of those people decides not to contact you, that's still 17 people. If each one spent \$100 per week with you for 12 years, that adds up to over 1 million dollars (17 people x \$100 x 52 weeks x 12 years = \$1,060,000).

Regaining these "lost" customers is much more difficult--- and costly---than simply keeping them happy and loyal. Follow these tips to keep your customers.

- Greet customers warmly and promptly. A friendly greeting—even if you are with another customer—is a little gesture that means a lot. One study revealed that customers who had to wait for a greeting estimated their wait time to be much longer than it actually was. If you don't acknowledge customers promptly, they will leave.
- Devote yourself to customers. Don't just smile and nod as customers talk; ask questions during pauses, laugh if they say something funny or show concern—in your voice and through facial expressions—when they describe a problem.
- Anticipate and respond to customers' needs. If a customer is ordering an item, ask if they also need another specific item related to what they originally wanted.

In a nutshell: Even if your customers don't spend \$100 a week with your organization, the money and potential business you lose when one leaves is still high. And if you lose two, three or four customers, your organization—and your job—could suffer.

Construction Financial Management Association (CFMA)

What is CFMA? A national non-profit organization dedicated to serving the financial professional in the construction industry. CFMA is the premier source of education and information about those aspects of financial management unique to the construction industry.

CFMA offers: opportunity to network with your peers in a non-competitive environment, receive educational and communication materials (best and latest industry related technical and management information). Contact Tim Lightbourne at 406-761-5000 for more information about CFMA. www.cfma.org

CFMA Management Succession/Ownership Transfer Workshop, March 13 Billings and March 14 Great Falls, Problems of corporate survival and choosing the right ownership transfer technique. Valuation of the Construction Company and Management Succession. \$160 Non-Members.

MT Contracting Opportunities

MDT Highway Construction Projects Invitation for Bids

For the quickest and most complete information of these projects as they are advertised for bid, go to the web site <http://mdt.state.mt.us/entrect/contract.htm> and click on Invitation for Bids. While the newsletter has notices posted, do not rely on this information alone.

Invitation for Bids, Letting of March 27, 2003

Sealed bids on the following projects will be received by the MDT-Highways Division, Contract Plans Section, Room 101, 2701 Prospect, Helena, MT until 9:00am on March 27, 2003. Bids proposals, plans, cross-sections, and full instructions to bidders are on file for examination, and may be obtained from the Contract Plans Section or go to web site <ftp://ftp.mdt.state.mt.us/contract/orderform.pdf> for order form. These documents may be requested by FAX (406) 444-7236, by mail or by calling (406) 444-6216, 6212 or 6215.

1. **Monida-Lima, Federal Aid Project No. IM 15-1(97)0** Seal and cover on 27.35 km of the Monida-Lima Road on Interstate Route 15 in Beaverhead County. DBE contract goals at 0.0%.
2. **Foxfield Avenue-Hamilton, Federal Aid Project No. CM 41(27)** Cold milling, plant mix surfacing and sidewalks on 0.25 km of the Foxfield Avenue-Hamilton project in Ravalli County. DBE contract goals are 0.0%.
3. **Structures Southwest of Malta, Federal Aid Project No. BR-NH 61-4(21)125** Bridge Replacement, plant mix bituminous surfacing on 1.2 km of US 191, SW of Malta Road in Phillips County. DBE contract goals are 0.0%.
4. **Drummond-East & West, Federal Aid Project No. IM 90-3(73)150** Hot recycle, plant mix overlay, seal & cover & bridge rehabilitations on the Drummond-East & West project in Granite & Powell Counties. DBE contract goals are 0.0%.
5. **Deer Lodge-South, Federal Aid Project No. IM 90-3(95)189** Seal and cover and pavement markings on 8.7 km of the Deer Lodge-South Road on Interstate 90 in Powell County. DBE contract goals are 0.0%.
6. **Glasgow-Northwest, Federal Aid Project No. STPS 246-1(8)0** Leveling, plant mix surfacing overlay, seal and cover on 7.306 km of the Glasgow-Northwest project in Valley County. DBE contract goals are 0.0%.
7. **Ryegate-South, State Project No. SFCS 300-1(7)0** Plant mix overlay, seal and cover on 8.9 km of the Ryegate-South Road on Montana Secondary 300 in Golden Valley County. No DBE contract goals.
8. **Custer-North, State Project No. SFCS 310-1(1)0** Plant mix bituminous surface overlay and seal and cover on 2.2 km on the Custer-North project on MT route 310 in Yellowstone County. No DBE contract goals.
9. **Hysham Interchange-West, State Project No. SFCS 311-1(1)0** Overlay, leveling, seal & cover on 14.1 km of the Hysham Interchange-West project in Treasure County. No DBE contract goals.
10. **Junction Secondary 205-North, Federal Aid Project No. STPS 411-1(8)0** Seal and cover on 10.2 km of the Junction Secondary Route 205-North project on Secondary Route 411 in Gallatin County. DBE contract goals are 0.0%.
11. **Junction I-90-Southwest, Federal Aid Project No. STPS 441-1(8)0** Seal and cover on 4.7 km of the Junction I-90-Southwest Project on Secondary Route 441 in Silver Bow County beginning approximately 1 km north of Fairmont Hot Springs at RP 0.3 and extends northeast to RP 2.9. DBE contract goals are 0.0%.
12. **Whitefish Stage Road-Kalispell, Federal Aid Project No. CM 6728(3)** Leveling, plant mix bituminous surfacing, seal and cover on 3.34 km of the Whitefish Stage Road-Kalispell project in Flathead County. DBE contract goals are 0.0%.

Retainage

MDT no longer holds retainage from prime contractors on highway construction projects. Retainage is a negotiating item between prime and sub. How much and if retainage is held depends on the relationship between prime and sub. What is the level of risk for the prime contractor working with that subcontractor? Please keep in mind, Civil Rights Bureau will help any sub seeking payment of retainage on highway construction projects. MDT has regulations stating the sub is to be paid within 30 days of request for retainage once the work and all paperwork requirements are completed.

MT Contracting Opportunities

Bike Path – Conrad, MT Bid Date March 13th, Construction of a 10 feet wide, 2200 linear feet paved bike path improvements, including grading, AC paving, signing, and restoration landscaping. Morrison Marierle Inc. 406-4442-3050

2001 Landscape, Wolf Point, MT, Bid Date: March 17th, Installation of underground sprinkler irrigation system, pumping station, electrical sprinkler control center and all items. Interstate Engineering, 406-433-5617.

Lacasa Grande Estates Water and Sewer, East Helena MT, Bid Date: March 18th, Water system improvements including the installation of new 100,000 gallon water storage tank, flow controls, pressure pump station, well pump, fire hydrants. Tetra Tech, 406-442-5588

Mullan Road Corridor Sewer, Missoula County, MT, Bid Date: March 25th, 48,600 linear feet of sanitary sewer gravity main, three wastewater pumping stations, HDR Engineering, 406-541-9758

Request for Professional Qualifications Revegetation Services RFQ403-01, Bid Date: March 28, 2003. MT Dept of Environmental Quality Remediation Division Mine Waste Cleanup Bureau, seeking qualified firms interested in supplying revegetation expertise on remedial design and construction in Silver Bow and Deer Lodge Counties, Montana. The complete RFQ can be viewed on the web at: <http://www.discoveringmontana.com/doi/GSD/osbs/solhome.asp>. To obtain a hardcopy or if you have any questions, please contact: Joel Chavez DEQ Remediation Division Mine Waste Cleanup Bureau P.O. Box 200901 Helena, MT 59620-0901 406-444-5440

Construction of Tool Recycling Facility, Fort Harrison, Bid Date: March 26, 2003, DMA #03441. Contract documents may be secured at the office of: Schlenker & McKittrick Architects, P.C. 50 S. Last Chance Gulch, Suite 1 Helena, MT 59601

Montana Department of Transportation Purchasing Department Invitations for Bids:

306807 Epoxy Paint Striping in Butte - Opens March 27, 2003 3:00pm; **306806** Epoxy Paint Striping in Missoula - Opens March 27, 2003 3:00pm; **306805** Epoxy Striping in Miles City - Opens March 25, 2003 3:00pm; **306804** Epoxy Striping in Lewistown - Opens March 25, 2003 3:00pm; **306803** Epoxy Striping in Billings - Opens March 25, 2003 3:00pm; **306800** Bozeman Epoxy Striping - Opens March 21, 2003 3:00pm; **306799** Kalispell Epoxy Striping - Opens March 21, 2003 3:00pm; **306798** Missoula Chip Seal - Opens March 18, 2003 3:00pm; **306797** Manhattan - Belgrade Crack Seal - Opens March 18, 2003 3:00pm; **306794** Demolition of Property in Augusta MT - Opens March 12, 2003 3:00pm

Carter Pits and Reservoir, Presolicitation Notice, ESQ030111, Response Date: April 18, 2003, BLM MONTANA STATE OFFICE 5001 SOUTHGATE DR PO BOX 36800 BILLINGS MT 59107, Furnishing labor, equipment, supplies, and materials, except for Government furnished materials to construct 23 pits, and 1 livestock reservoir. Work is located in Carter County, Montana. Contractor to furnish approximately 1) 93,333 cubic yards of Common Excavation, 2) 5,070 cubic yards of Embankment-Semi Compacted and mobilization. Lori Mading Purchasing Agent 4068965196 Lori_Mading@blm.gov;

Construct six pipe lines in Miles City area, **ESQ030108, Response Date: March 28, 2003**, BLM MONTANA STATE OFFICE 5001 SOUTHGATE DR PO BOX 36800 BILLINGS MT 59107, Furnishing labor, equipment, supplies, and materials, to construct six livestock pipelines on BLM property. Work is located in Prairie County, Montana. Lori Mading Purchasing Agent 4068965196 Lori_Mading@blm.gov;

Libby Asbestos Project, Presolicitation Notice, DTRS57-03-B-60003, Response Date: April 8, 2003, 55 Broadway, Cambridge, MA This solicitation is a HubZone Small Business Concern Set-Aside. John A. Volpe National Transportation Systems Center (Volpe Center), Cambridge, MA is assisting the U.S. Environmental Protection Agency (EPA), to provide residential common fill in Libby, Montana. Line Item 0001 Residential Common Fill Delivered 70,000 cubic yards. The WWW address, or URL, of the Volpe Center Acquisition Management Division home page is: <http://www.volpe.dot.gov/procure/index.html>. Point of Contact - Michael L Raymond, Contract Specialist, (617) 494-2313

Construction of a new port of entry, Raymond, MT, Presoliditation Notice, GS-08P-03-JFC-0010, Response Date: April 15, 2003, The General Services Administration (GSA) is requesting Technical Proposals (RTP) for the facility construction package for a new United States Port of Entry located at the Port of Raymond, Montana, Montana State Highway 16 and the Canadian border. This requirement will be a competitive 8(a) set-aside in the States of North Dakota and Montana only. This project consists of all labor, equipment, material, transportation, and supervision necessary to construct the new United States Port of Entry including site improvements. To schedule a site visit, contact the Project Manager, Scott McCollough at 303-236-7070 ext. 274. Lynda Sena, Contracting Officer, Phone (303) 236-7070 x272, Fax (303) 236-3606, Email lynda.sena@gsa.gov - Lynda Sena, Contracting Officer, Phone (303) 236-7070 x272, Fax (303) 236-3606, Email lynda.sena@gsa.gov

DBE Supportive Services , Civil Rights Bureau
MT Department of Transportation
PO Box 201001
Helena, MT 59620-1001
800-883-5811
TTY (800) 335-7592

ADDRESS CORRECTION REQUESTED

STATE DOCUMENTS COLLECTION

MAR 12 2003

MONTANA STATE LIBRARY
1515 E. 6th AVE.
HELENA, MONTANA 59620



Mike and Monte Weeden, MK Weeden, Lewistown, MT



Maria Wickens and Jeni, Wickens Construction,
Lewistown, MT



Hal Fuglevand, EH Oftedahl, Miles City, MT



Jim Wickens, Sletten Construction, Great Falls, MT

Pictures taken at DBE Room. February 26, 2003 – Red Lion Colonial Hotel. Helena

200 copies of this public document were published at an estimated cost of 49 cents per copy for a total of \$98.00

Alternative accessible formats of this document will be provided upon request.



DBE NEWSLETTER

MONTANA DEPARTMENT OF TRANSPORTATION
Published Monthly by DBE Supportive Services

Volume 3, Issue 4

Promoting the growth of Disadvantaged Business in Montana

April 2003

Upcoming Dates

- DBE Room April 23, '03, Colonial, Helena
- Bid Letting April 24, '03, MDT Helena



Christie DeBuff, DebCon, Lewistown, MT @ DBE Room

DBE Participation/Goal Comparison

For MDT federally-funded projects,
as of March 31, 2003:

DBE Participation is 4.70%
DBE Goal is 7.36%

(FY2003, Pending FHWA Approval)

MONTANA DBE PROGRAM

Darren Kaihlanen, DBE Program Manager
dkaihlanen@state.mt.us (406) 444-9229

Debbie Riemann, DBE Program Specialist
driemann@state.mt.us (406) 444-6337

Rebecca L. Johnson, DBE Supportive Services Manager
rejohnson@state.mt.us (800) 883-5811, (406) 444-7287

Vicky Koch, Civil Rights Bureau Chief
vkoch@state.mt.us (406) 444-6335

Office Location/Address: 2701 Prospect Avenue/PO
Box 201001, Helena, MT 59620-1001, (406) 444-6331,
Fax (406) 444-7685 TTY (800) 335-7592
Visit us on-line at www.mdt.state.mt.us and click on
Civil Rights Bureau



Stacks of Plans for April 24th Bid Letting at
MDT Contract Plans Office, March 2003, Helena

Now is the Time!!

Bid on Highway Construction Work Now – MDT Bid Letting of April 24th has 28 projects and May is at 30 projects. Project Specific goals will be back for May, possibly April with low DBE participation. Get your bid proposals to prime contractors – they will be looking for DBEs. Talk to Rebecca to assist you with bidding.

Storm Water Requirements for Construction Activity Brochure

What is storm water discharge permit program for construction activity, definition of disturbance of construction site, and how to obtain general permit coverage. Published by MDT Dept of Environmental Quality. Just ask Rebecca for a free brochure.

INSIDE THIS ISSUE

	INSIDE THIS ISSUE
1	Dates, DBEGoal, Now is the Time, Storm Water Reqmt
2	DBE Co. Update, Quality Management Training, Bid Results, Quote, EEO Submission
3	Payroll Tip #2, EEO Officer Tip #2
4	A/E Qualification Forms, Future Workers Resource, Shock Cord Ad
5	More Contracting Opportunities, Fraudulent Letters
6	MT Contracting Opportunities
7	MT Contracting Opportunities Continued

Montana DBE Company Monthly Update

Newly DBE-Certified Companies

Empire Lath & Plaster, Inc., Billings, MT - owner, Sandy Tilzey
Masonry, Drywall, Insulation, & Tile Contractors

Recently Re-Certified DBE Companies

Willow Creek Construction of Browning, MT - owners, Nikki and Roy Whitford
Excavation, fencing, stockpiles, reservoirs, waterlines, fire excavation, tractor and lowboy service, belly dump service.

Herrera Environmental Consultants, Inc., Seattle
owner, Carlos E. Herrera
Consulting, Professional, Environmental, and Civil Engineering, Land Management and Planning, Wetland Studies, Project Design, and Management Planning.

Contractor Quality Management Training, May 1, 2003, Helena

Being offered to contractors. Get this certified training to be eligible to bid on US Corps of Engineers contracts in Montana for Homeland Security projects. An 8-hour seminar to provide contractors with a better understanding of quality control/quality assurance initiatives. There is room available for 10-12 people. Another training session will be scheduled if there is interest. Please call Rebecca today.

Certified Payroll and EEO Training April 17th, Missoula, 10:00am-3:00pm, MDT, 2100 W Broadway

Learn about preparing certified payrolls, calculating payrolls using Davis Bacon wage rates, and your company responsibilities concerning EEO policy/procedures. 10:00am-12:00pm Payroll and 1:00-3:00pm EEO at Missoula MDT Construction Building, 2100 W Broadway. Jim Phillips, Civil Rights Bureau Compliance Specialist will be giving the class. Please contact me if you would like to attend the training. There is no fee for the class.

As Read MDT March 27, 2003 Bid Letting Results

Project Title and #	Prime Bidder	Low Bid Amount	DBE Participation Dollars and %	
IM 15-1(97)0 Monida-Lima	Blahnik Construction, Inc.	\$ 749,722		
CM 41(27) Foxfield Ave - Hamilton	Blahnik Construction, Inc.	\$ 136,792		
BR-NH 61-4(21)125 Structures - SW of Malta	Wickens Construction, Inc.	\$ 1,197,964	\$44,149	3.69%
IM 90-3(73)150 Drummond - East & West	Jim Gilman Excavating, Inc.	\$12,099,052		
IM 90-3(95)189 Deer Lodge - South	Jim Gilman Excavating, Inc.	\$ 242,523		
STPS 246-1(8)0 Glasgow - Northeast	Century Companies, Inc.	\$ 785,518	\$21,156	2.69%
STPS 411-1(7)0 Jct 205 - North	Riverside Contracting, Inc.	\$ 143,502		
STPS 441-1(8)0 Jct I-90 - Southeast	Riverside Contracting, Inc.	\$ 93,452		
CM 6728(3) Whitefish Stage Road	Schellinger Construction Co.	\$ 366,453		

Quote of the Month

BUSINESS ETHICS

If you can't explain it to your mother or grandmother, don't do it.

GLEN SALOW
Business Executive

EEO Submissions

Is your company listed on MDT's EEO Submittal list?? You need to have your EEO Submissions on file with the Civil Rights Bureau before your company can start work on the project. Check out this web site and make sure your name is listed:

<http://www.mdt.state.mt.us/civilrights/> Scroll down to EEO Contract Compliance and click on EEO Submissions

These tip sheets are mailed monthly to companies with EEO Submittals on file with the MDT Civil Rights Bureau. If you want to receive these tip sheets in the future and are not on this list, please let Rebecca know.

PAYROLL CLERKS – TIP SHEET NUMBER 2 *by Vicky Koch, Civil Rights Bureau Chief*

1. **OVERTIME** must be paid at time and a half beginning with the 41st hour worked in a designated workweek.

a. Prevailing Rate Zone Rate

i. \$10.00 + 3.40 = \$13.40 hourly rate

b. Half of \$13.40 is \$6.70. \$6.70 plus \$13.40 equals \$20.10 which is the time and a half hourly rate paid beginning on the 41st hour of the designated work week.

c. If the employee works 30 hours on one federal aid project and moves to another federal-aid project and works 20 hours all in the same work week, overtime must be paid beginning with the 41st hour worked that week.

2. **NEW EMPLOYEES** must have their mailing address and social security number shown on the first payroll on which they appear.

3. The original and one copy of the payroll must be provided to the MDT Project Manager.

4. If the prime contractor requires the **SUBCONTRACTOR'S PAYROLL** to be submitted through the prime contractor's office, it must still be submitted to the MDT project Manager within 7 days following the end of the payroll period. Prime contractors will be held responsible for the timely submission of all payrolls. **SUGGESTION:** The subcontractor could send one copy to the prime and the original and a copy directly to the Project Manager in order to meet the federal submission requirements.

5. **MULTIPLE CLASSIFICATIONS** occur when an employee works in more than one classification during the workweek. The employee can be paid the contract required wage rate for each classification or you can pay the higher rate for all of the time worked.

6. **PILOT CAR** operators must be paid at the rate of pay specified in the truck driver's portion of the contract wage rates. The owner operator rule (see tip sheet 1) does not apply to pilot car operators.

7. **APPRENTICES** must be enrolled in registered apprenticeship program. In order to pay them less than journeyman wages, you must provide a copy of the apprenticeship registration papers along with the payroll the first time the apprentice appears on the payroll.

8. **WORKING FOREMAN** is a supervisor who works with the tools of the trade more than 20% of the time. The working foreman must be paid the appropriate Davis Bacon rate for the work being performed.

EEO OFFICER TIP SHEET #2 –

It is your responsibility as the EEO Officer's to make certain that all supervisors, superintendents, foremen or anyone with authority to hire and fire understand the company's EEO Policy and what their own individual role is in accomplishing that policy. Any new supervisors must receive in-depth EEO training within the first 30 days of employment with the company.

As EEO Officer, you must conduct a meeting with all supervisory employees prior to the beginning of work on each project. The purpose of the meeting is to provide information about the company's EEO program and the recruitment of minority and female workers. Required topics include:

- What are the hiring needs for the project?
- What efforts must the Superintendent make to locate and hire minority or female workers?
- What are the logical minority or female referral sources in the project area? Who are the contact people at those sources?
- Is there a tribal TERO Office nearby? Who is the contact person?
- What is the Superintendent's role in handling a discrimination complaint?

UNION CONTRACTORS: A bargaining agreement doesn't absolve your contractual obligation to recruit, hire and train minority and female workers. US DOL has held that when the union is unable to provide you with minority or female workers you are required to do your own recruitment. (Contract Requirement 4b – Special Provisions)

EEO Officer's should encourage current employees to refer minority and female workers

In your capacity as Company EEO Officer have you established a valid line of communications with referral sources in the project area? Establishing these kinds of communication can often be accomplished during the winter shut down months.

Don't know how to find out where or who the referral sources are? Contact the MDT Civil Rights Bureau by telephone or obtain a current list from the MDT website: <http://www.mdt.state.mt.us/civilrights>

New SF 330 to Replace SF 254/255 A/E Qualification Forms

- * New form sent to FAR Council
- * Expected publication May 2003
- * Contractors will only have six months to comply

GCI has confirmed the final requirements for the SF 330 – the consolidated form that will replace the SF 254 and 255 Architect / Engineering Qualification forms. What's in and what's out? Current Seciton 9 Other current Contracts Out

30 example projects Out, Fee Disclosure Out, Page Numbers Out, Required Organization Charts In, Section G Matrix matching personnel to job In, Expanded Project Descriptions In.

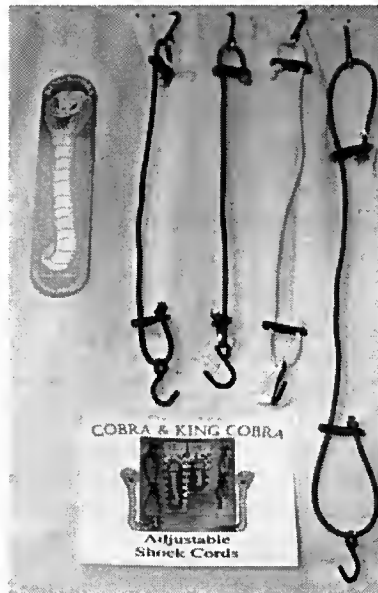
When the new form comes out, contractors will be required to comply within six months, says Don Evick, U.S. Army Corps of Engineers. Although other agencies may choose to accept the SF 254/255, we have recommended they not do that past the cut-off date. For the Army Corps, this will be a drop-dead date – only the SF 330 will be accepted after the deadline.

Silver Wolf Enterprises

Cobra and King Cobra Adjustable Shock Cord:

These adjustable Shock Cords (BUNGEE CORDS) are in a league of their own. Cobra and King Cobra Shock cords are made with top of the line carbon steel, zinc, and rubber coating. The hooks are designed to attach to hard-to-reach areas. The Cobra (Small) is adjustable from 18 to 51 inches(4.25 feet), while the King Cobra(Large) is adjustable from 28 inches to an unbelievable 7 feet.

The cord sheath is made of polypropylene. Using this material provides a built in safety feature; in case the rubber cord inside the sheath fails. The cords are available in these bright colors; red, royal blue, kelly green, black, olive drab, and safety yellow. This product is all American made. For more info contact: John or Shawn Gilbert, Silver Wolf Enterprises, PO Box 1494, Chinook, MT 59523-1494, 406-357-3161 john@silverwolfenterprises.com



Silver Wolf Enterprises
Shock Cords

Employers – Future Workers' Resource

Helena Industries, Inc/MCDS (Montana Career Development Services) has been around for 32 years. It provides vocational services for people with disabilities either in one of three work facilities, Wood Products, the Mailing Center or Benchmark Manufacturing. People are also served who need assistance with seeking employment competitively in the Helena community and surrounding areas. People are typically referred from the Department of Public Health & Human Services Vocational Rehabilitation Services Division, Career Training Institute and the Department of Veterans' Affairs.

Disabilities vary from person to person, from very mild to very severe. The one thing they have in common is that they want to work. They need assistance with job leads, employer contacts, job applications, resume writing, interview skills building and some support while they search for their vocational destiny.

If you are interested in hiring people with disabilities who are qualified potential employees, please call Kerrie Reidelbach or Greg Olsen at 406-442-8632 for more information.



Mick Johnson, MDT Great Falls District Administrator, Jimmy St. Goddard, Vice Chairman, and Gordon Monroe, Secretary, Blackfeet Tribal Business Council, March 2003, Working Session, Browning, MT —

April Business Calendar

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
		1	2	3	4	5
6	7 >How to Motivate, Manage and Lead a Team Missoula >Disability, Workforce Development Missoula	8 >Fundamentals of Supervision I & II (Apr 8 & 22) Billings >How to Motivate, Manage and Lead a Team Helena >OSHA Compliance 2003 Missoula	9 >Fundamentals of Supervision I & II (Apr 9 & 23) Bozeman >How to Motivate, Manage and Lead a Team Bozeman >8-hr HAZWOPER Refresher Billings	10 >Fundamentals of Supervision I & II Apr 10&24Missoula >How to Motivate, Manage and Lead a Team Billings >Adv, Trenching (Apr 10-11) Billings >Managers/Supervisors Conf Billings	11 >Ergonomics Update Bozeman	12
13	14	15 >Fundamentals of Supervision I & II (Apr 15 & 29) Great Falls >Tools for Winning the Marketing Game Bozeman	16 >Indoor Air Quality Billings >OSHA Hazard Communication Requirements Great Falls >Health Related Issues in the Workplace Helena	17 >Personal Protective Equip. & Resp. Protection Helena >Meetings, Bloody Meetings, Missoula	18 >Leverage the Power of Different Generations, Missoula	19
20	21 >Sales Advantage, Billings	22 >WOW Them with Words Helena	23 >Student Career Fair Need Summer Workers? Missoula	24 >OSHA Permit Required Confined Space Req. Billings >Financial Management Apr24-25 Bozeman	25 >Conflict Management Skills for Women Billings	26
27	28 >CPR/First Aid Billings	29 >Forklift Instructor Course Billings	30 >QuickBooks Payroll Helena	May 1	May 2	3
<div>Note: May 7, Personnel Manuals, Learn everything about developing a personnel manual, Jim Nys, \$75, Business Resource Center, Helena, 406-443-0800</div>						

2003

13th Annual Student Career Fair – Need Summer Workers?, Apr 23, No Cost, 3:30-7:00pm, Missoula, Sentinel High School, 406-542-5743, Meet students from local high schools, University of Montana, and College of Technology.

8 Hour HAZWOPER Refresher, Apr 9 Billings, Non-member \$150. Montana Safety Council 406-248-4893

Advanced Trenching & Excavation, Apr 10-11, Billings, Free, MT DOL Safety and Health, 406-444-6401

Conflict Management Skills for Women, Apr 25 Billings, \$99. SkillPath Seminars, 800-873-7545.

CPR/First Aid, Apr 28, Billings, Non-member \$60. Montana Safety Council, 406-248-4893.

Disability, Workforce Development, and Self-Employment, Apr 7, Missoula, \$50, National speakers on issues relating to workplace accommodations, social security, Native American culture, Montana Job Training Partnership, 406-444-1315

Ergonomics Up-Date, Apr 11, Bozeman, Free, SW Montana Safety & Health Group. Carl Crouse ccrouse@state.mt.us or 444-7817

Financial Management for the Closely Held Business, Apr 24-25, Bozeman, \$295, Big Sky Western Bank, 406-587-2922, www.mtmanufacturingcenter.com/Training/scheduled_training.htm, Tax planning issues, cost-volume-profit relationships, effective use of financial statements, cash budgeting, financing your business.

Forklift Instructor Course, Apr 29, Billings, Non-member \$100. Montana Safety Council, 406-248-4893

Fundamentals of Supervision I & II, Apr 8 & 22 Billings, Apr 9 & 23 Bozeman, Apr 10 & 24 Missoula, Apr 15 & 29 Great Falls, Non-members \$325, Associated Employers of Montana 406-248-6178.

Health Related Issues in the Workplace, Apr 16, Helena. MT DOL Safety and Health 406-444-6401

How to Motivate, Manage and Lead a Team, Apr 7 Missoula, Apr 8 Helena, Apr 9 Bozeman, Apr 10 Billings, \$179. Padgett-Thompson, 800-258-7246, www.pttrain.com

Indoor Air Quality, Apr 16, Billings. MT DOL Safety and Health, 406-444-6401

Leverage the Power of Different Generations in the Workplace, Apr 18, \$55, Missoula Learn how each generation is motivated differently, and interpret accepts business practices different, University of Montana, 406-243-2665

Meetings, Bloody Meetings, Apr 17, \$55, Missoula, Learn tips for setting productive agendas and providing effective facilitation, University of Montana, 406-243-2665.

OSHA Compliance 2003, Apr 8, Missoula, \$299. Human Resources Council 800-601-4636. New OSHA regulations and how to avoid inspections, fines and lawsuits. Skillpath Seminars,

OSHA Hazard Communication Requirements, Apr 16, Great Falls. MT DOL Safety and Health 406-444-6401

OSHA Permit Required Confined Space Req., Apr 24, Billings. MT DOL Safety and Health 406-444-6401

Personal Protective Equip. & Resp.Protection, Apr 17, Helena. MT DOL Safety and Health 406-444-6401

Personnel Manuals, May 7, Helena, \$75. Learn everything you need to know about developing a personnel manual for your business. Business Resource Center, Stephanie Hilger, 406-443-0800.,

QuickBooks Payroll, Apr 30, Helena, \$75. Business Resource Center, Stephanie Hilger, 406-443-0800.

Sales Advantage, Apr 21, \$??, Billings, Prospect intelligently, relate to the customer, display confidence, Dale Carnegie, 406-652-4442, dpals@dalecarnegie.com, 406-652-4442.

The Managers and Supervisors Conference, Apr 10, Billings, \$199, Boost the effectiveness of managers and supervisors at all levels. Skillpath seminars. 800-873-7545, www.skillpath.net

Tools for Winning "The Marketing Game", Apr 15-16, \$295, An Interactive marketing game that simulates the challenges of real marketing decisions, making profitable marketing decisions, target customer segments, marketing channels, Gallatin Development Corporation, www.mtmanufacturingcenter.com/Training/scheduled_training.htm, 406-994-3812

WOW Them with Words, Apr 22, Helena, \$25. Learn written communication strategies to develop effective brochures, fliers, newsletters advertisements. Business Resource Center, Stephanie Hilger, 406-443-0800.

DBE COMPANY:

Jan to March April to June July to Sept Oct to December
(circle quarterly report date range)

[illegible]

More MT Contracting Opportunities

Water Shed Restoration, RFQ14-03-026, Response Date: April 25, 2003, Kootenai National Forest, Libby, MT
Item 1-Basin Creek Watershed:500 Hours Excavator and 50 Hours Dumptruck Item 2- O'Brien Phase III and IV:700 Hours Excavator. Road Decommissioning including, but not limited to; culvert removal, partial and full road recontouring, and stream channel reconstruction. Judi Foss, Procurement Clerk, Phone 406-283-7640, Fax 406-283-7709, Email rl_kootenai_contracting@fs.fed.us Three Rivers Ranger District 1437 Hwy 2 North Troy, MT
<http://www.epa.gov/spg/USDA/FS/03J1/RFQ14-03-026/listing.html>

2001 Northern District Orphaned Well Plug & Abandonment & Site Restoration, 035360CSW, MT Dept of National Resources and Conservation, Response Date: May 5, 2003. Consists of plugging and site restoration of 12 abandoned oil wells located in Toole County, MT. Jeff Williams, 406-444-6724, jewilliams@state.mt.us
<http://www.discoveringmontana.com/doa/gsd/osbs/AllSolListingNew.asp>

Montana Airport Contracting Opportunities w/ DBE Goals

Scobey Municipal Airport Improvements, Rehabilitation of runway, taxiways and apron pavements, construct taxiway. Bid Date: April 17, 2003, Kadmas, Lee & Jackson, Bismarck ND, 701-355-8400 Kathy Schmidt, 701-355-8479, kschmidt@kljeng.com

FAA Authorization of the following projects is still pending and construction will hopefully start this summer:

- Sidney Richland Regional Airport, 6.4% DBE Goal, \$2,294,826, Rehabilitation and airport apron reconstruction.
- Baker Municipal Airport, DBE Goal?, \$259,000, Perimeter fencing, building, pavement maintenance.
- Malta Airport, 7.4% DBE Goal, \$208,770, Airport apron reconstruction and building construction.
- Broadus, 6.16% DBE Goal, \$2,294,826, Runway and taxiway rehabilitation.

FRAUDULENT LETTERS

Recently, U. S. Department of Transportation (DOT) contractors have received fraudulent letters purporting to be issued by DOT. These fraudulent letters request that contractors register in the DOD Central Contractor Registration System (CCR). Please be aware that DOT does not require any confidential information to be submitted to verify CCR registration and that all companies should verify personally that they are sending information to an authorized DOT official. Please DO NOT complete the requested CCR worksheet that is attached to the letters and DO NOT release any information to the facsimile number cited in the letter. For information on how to register in the CCR, please visit the following website: www.ccr.gov <http://www.ccr.gov/>. The point of contact concerning these fraudulent letters is the Department of Transportation Office of the Inspector General Hotline at 1-800-424-9071.

Request for Statement of Qualifications (SOQ) Proposals from Consulting Firms

MDT is requesting statement of qualifications (SOQ) proposals from consulting firms specializing in highway design and rehabilitation work. MDT will rate and rank the SOQ proposals according to various highway-related design categories. The eight categories of services are: Comprehensive Road Design, Bridges & Structures, Traffic & Safety Engineering, Right of Way Appraisal and Acquisition, Environmental & Corridor Studies, Construction Administration. The Department will then use the resulting list of pre-qualified consulting firms for selection of consultants on future design projects or term contracts. Firms interesting in obtaining a copy of the Request for Qualifications, please contact Rebecca for a copy. The Statement of Qualifications must be submitted to the Department no later than noon, May 1, 2003.



MT Contracting Opportunities

MDT Highway Construction Projects Invitation for Bids, Letting of April 24, 2003

For the most complete and timely bid information, go to the web site <http://mdt.state.mt.us/entrcct/contract.htm> and click on Invitation for Bids. While the newsletter has notices posted, do not rely on this information alone.

Sealed bids on the following projects will be received by the MDT-Highways Division, Contract Plans Section, Room 101, 2701 Prospect, Helena, MT until 9:00am on April 24, 2003. Bids proposals, plans, cross-sections, and full instructions to bidders are on file for examination, and may be obtained from the Contract Plans Section 406-444-6216, 6212 or 6215, Fax 406-444-7236 or go to web site <ftp://ftp.mdt.state.mt.us/contract/orderform.pdf> for order form.

1. **Guardrail-Old US 87, Federal Aid Project No. STPHS 56(57)** Guardrail and signing on the Guardrail – Old US 87 project on x-81016 (Old US 87), in Yellowstone County. DBE contract goals at 0.0%.
2. **2000-Signing-14 km East of Ryegate, Federal Aid Project No. STPHS 14-4(17)140** Signing on 1.2 km of the 2000-Signing-14 km East of Ryegate project on US 12 in Golden Valley County. DBE contract goals are 0.0%.
3. **Flaxville-South, Federal Aid Project No. STPS 251-2(7)45** Plant mix overlay, seal and cover, striping and bridge rail revision on the Flaxville-South project in Daniels County. DBE contract goals are 0.0%.
4. **Canyon Ferry-East, State Project No. SFCSS 284-2(11)9** Micro surface and seal on 5.4 km on the Canyon Ferry-East project on MT Route 284 in Lewis & Clark County. There are no contract goals for DBEs.
5. **1 km N. of Judith Gap-North, Federal Aid Project No. NH 63-2(6)19** Plant mix overlay, seal and cover on 16.1 km of the 1 km N of Judith Gap-N project on US 191 in Judith Basin and Fergus Counties. DBE contract goals are 0.0%
6. **Shiloh Road/South Frontage Road-Billings, Federal Aid Project No. STPS 0002(664)** Plant mix overlay, seal & cover, revise bridge rail on 2.2km of the road project in Yellowstone County DBE contract goals are 0.0%.
7. **Signal-US 2/Birch Grove Road & Signal-US 2/Rose Crossing, Federal Aid Project Nos. STPP 1- 2(120)128 & STPP 1- 2(121)126** Signals, signing, pavement markings on projects Signals-US 2/Birch Grove Road and Signals-US 2/Rose Crossing in Flathead County. DBE contract goals are 0.0%.
8. **1 km East of Jct. US 89-East, Federal Aid Project No. IM 90-7(85)340** Cold mill, plant mix overlay, seal and cover on 20.84 km of the 1 km East of Junction US 89-East project in Park County. DBE contract goals are 0.0%.
9. **Big Sky-North, Federal Aid Project No. NH 50-2(50)48** Cold milling, plant mix overlay and seal and cover on the Big Sky-North project in Gallatin County. DBE contract goals are 0.0%.
10. **North Montana Avenue-Helena, Federal Aid Project No. STPS 229-1(3)5** Cold milling, plant mix surfacing, seal and cover on 4.095 km of the North Montana Ave-Helena project in Lewis and Clark County. DBE contract goals are 0.0%
11. **Melstone-East & West, Federal Aid Project No. STPP 14-5(16)196** Grade, gravel, plant mix surface, seal & cover on 17.3 km of the Melstone-East & West project on US 12 in Musselshell County. DBE contract goals are 0.0%.
12. **Turn Bays-South of Belgrade, Federal Aid Project No. STPHS-NH 85-1(8)5** Grading, gravel surfacing, milling, plant mix bituminous surfacing and seal and cover on 0.765 km of project in Gallatin County. DBE contract goals are 0.0%.
13. **Hungry Horse-West Glacier, Signal-Main St.-Hungry Horse & West Glacier-North, Federal Aid Project Nos. SFCN-STPHS 1-2(105)142**, Plant mix overlay, seal and cover, striping and sidewalks in Flathead County. **NH 1-2(125)143** Traffic signal, lighting and signing on the Signal, Main St. Hungry Horse & **SFCP 65-1(4)0** Milling, plant mix overlay, seal and cover and ADA curb ramps on the West Glacier-North. DBE contract goals are 0.0%.
14. **Scobey-East & Scobey-North & South, State Project Nos. SFCP 22-1(9)0** Plant mix overlay, seal & cover, & concrete sidewalks on MT Route 5 **SFCP 32-2(10)39** Plant mix overlay, seal & cover, Portland Cement concrete paving, concrete sidewalks, and traffic signal on MT Route in Scobey. No contract goals for DBEs
15. **Colstrip-South, Federal Aid Project No. STPP 39-1(29)12** Grading, cement treated base, plant mix surfacing, seal & cover, & a prestressed concrete beam structure on Colstrip-South in Rosebud County. DBE contract goals are 0.0%.
16. **1997-D1-Misc. Safety, Federal Aid Project No. STPHS 0002(481)** Loc # 1-Slope flattening & signing 4 km west of Elmo on MT Route 28 Loc# 2-Intersection improvement widening, signing, & lighting in Kalispell at the intersection of MT Route 35 & the Helena Flats Rd in Flathead County. Loc# 3-Signing at Swan Lake on MT Route 83 in Lake County. DBE contract goals are 0.0%.
17. **Silver Bow Creek-Montana St.-Butte, Federal Aid Project No. BH 1805(9)** Bridge rehabilitation on Silver Bow Creek-Montana St. Bridge-Butte & grading, aggregate surfacing, plant mix surfacing, seal & cover of the approaches in Silver Bow County. DBE contract goals are 0.0%.
18. **Billings District Crush & Stockpile, State Project No. SMP 0299(04)** Crushing & stockpiling of material for 5 maintenance stockpiles in the Billings District in Big Horn County. MANDATORY PRE-BID CONFERENCE Tuesday, April 8, 2003, 10:00 a.m., Multi Purchase Building, Crow Agency. There are no DBE contract goals.
19. **Butte District Crush & Stockpile, State Project No. SMP 1699(04)** Crushing & stockpiling of material for 5 maintenance stockpiles in the Butte District in Gallatin & Madison Counties. There are no DBE contract goals.
20. **Great Falls District Crush & Stockpile, Federal Aid Project No. SMP 2199(04)** Crushing & stockpiling of material for 4 maintenance stockpiles in the Great Falls District in Cascade, Choteau, & Hill Counties. DBE contract goals are 0.0%.
21. **Butte District Crush & Stockpile, State Project No. SMP 2299(04)** Crushing & stockpiling of material for 2 maintenance stockpiles in the Butte District in Jefferson County. There are no DBE contract goals.
22. **Missoula District Crush & Stockpile, State Project No. SMP 2499(04)** Crushing & stockpiling of material for 3 maintenance stockpiles in the Missoula District in Lake & Sanders Counties. There are no DBE contract goals.

MT Contracting Opportunities-Continued

- 23. Butte District Crush & Stockpile, State Project No. SMP 2599(04)** Crushing & stockpiling of material for 4 maintenance stockpiles in the Butte District in Lewis & Clark, Meagher, & Broadwater Counties. There are no DBE contract goals.
- 24. Missoula District Crush & Stockpile, State Project No. SMP 2799(04)** Crushing & stockpiling of material for 7 maintenance stockpiles in the Missoula District in Flathead, Lincoln & Sanders Counties. No DBE contract goals.
- 25. Missoula District Crush & Stockpile, State Project No. SMP 3199(04)** Crushing & stockpiling of material for 3 maintenance stockpiles in the Missoula District in Mineral County. There are no DBE contract goals
- 26. Missoula District Crush & Stockpile, State Project No. SMP 3299(04)** Crushing & stockpiling of material for 4 maintenance stockpiles in the Missoula District in Mineral & Missoula Counties. There are no DBE contract goals
- 27. Butte District Crush & Stockpiles, State Project No. SMP 3499(04)** Crushing & stockpiling of material for 3 maintenance stockpiles in the Butte District in Park County. There are no DBE contract goals
- 28. Billings District Crush & Stockpile, State Project No. SMP 5699(04)** Crushing & stockpiling of material for 3 maintenance stockpiles in the Billings District in Yellowstone County. There are no DBE contract goals

MT Department of Transportation Purchasing Department

306753 Wyoming Line North Overlay - Opens April 17, 2003 3:00pm

csd002 Consulting Services for Highway Project Development - Opens May 1, 2003

306819 Janitorial Services for Miles City Office - Opens April 17, 2003 3:00pm

Far Away Wells 2003, Presolicitation ESQ030114, BLM MT, Furnishing labor, equipment, supplies, and materials, to construct twelve wells. Work is located in Prairie, Rosebud, Carter, Garfield and Fallon County, MT. Solicitation will be available on or around 04-14-03. Obtain RFQ from the web site "<http://ideasec.nbc.gov>"

<http://www.eps.gov/spg/DOI/BLM/NBC/ESQ030114/listing.html> Lori Mading Purchasing Agent 4068965196

Lori_Mading@blm.gov

Three Fences, Presolicitation ESQ030115, BLM MT. Furnishing labor, equipment, supplies, and materials, to construct 2.6 miles of 4-wire barbed wire fence, 2.6 miles of 3-wire all barbed fence, plus removal and disposal of 2.6 miles of 32 inch high woven.

Solicitation will be available on or around 04-14-03. Obtain this solicitation you must go to website "<http://ideasec.nbc.gov>". Lori Mading Purchasing Agent 4068965196 Lori_Mading@blm.gov <http://www.eps.gov/spg/DOI/BLM/NBC/ESQ030115/listing.html>

Revegetation Services, Presolicitation N2000033500, Response Date: May 8, 2003, National Park Service (NPS) is seeking one or more nursery or plant propagation organizations to propagate native plants for National Parks in 17 western states including Montana. Interested firms are encouraged to team with sub-consultants. Work to perform includes: prepare revegetation plans and provide technical assistance in the field of native plant revegetation and ecological restoration; collect seed and cuttings; install seed and plants; construct or apply plant protective devices or substances; provide plant establishment care; and monitor revegetation/restoration success, etc. This RFP will be issued at <http://ideasec.nbc.gov>. Terry Lang Contract Specialist 3039692961

Terry_Lang@nps.gov <http://www.eps.gov/spg/DOI/NPS/APC-IS/N2000033500/listing.html>

Fort Howes Water System, Presolicitation, IFB-R1-08-03-14, Response Date: May 16, 2003, Forest Service, R-1 Custer National Forest. The work consists of constructing a chlorination building; installing water and sewer lines, and fire hydrants, Brenda Pretty Paint, Procurement Technician, Phone 406-657-6205 x216, Fax 406-657-6225, Email bprettypaint@fs.fed.us The project is located 25 miles south of Ashland, MT. <http://www.eps.gov/spg/USDA/FS/0355/IFB-R1-08-03-14/listing.html>

Re-establishment of Road Surfaces on the Flathead National Forest, RF-R1-10-03-6, Response Date: April 25, 2003, for re-establishment of road surfaces for three roads on the Hungry Horse and Swan Lake Ranger Districts. Utilize mobile rock milling or rock crushing equipment to manufacture cushion material or using crushed aggregate and shaping the existing travel way and shoulders, providing cross slope or crown, cleaning existing culverts and ditches, watering, mixing, compacting, grading, and shaping of the manufactured cushion material, and install culverts as well as reconstruct and construct drain dips. Seeding, mulching, and fertilizing shall also be done. Barbara Venturini, Procurement Technician, 406-758-5318, Fax 406-758-5363, Email bventurini@fs.fed.us <http://www.eps.gov/spg/USDA/FS/0385/RFP%5FR1-10-03-6/listing.html>

South Fork of Bull River 10% Project, Presolicitation Notice, RFQ14-03-028, Response Date: May 9, 2003, R-1 Kootenai National Forest, Cabinet Ranger District, Sanders County, MT. Work includes mitigating erosion and sediment contribution to the South Fork of Bull River, reconstructing the roadway, constructing 81 drainage dips, replacing 3 culverts for fish passage, and roadside brushing. This solicitation will be available on approximately 4/10/03. Judi Foss, Procurement Clerk, Phone 406-283-7640, Fax 406-283-7709, Email r1_kootenai_contracting@fs.fed.us - Jeanne Robertson, Contract Specialist, Phone 406-283-7618, Fax 406-283-7712, Email r1_kootenai_contracting@fs.fed.us <http://www.eps.gov/spg/USDA/FS/03J1/RFQ14-03-028/listing.html>

Road Maintenance (Spring/Fall Blading), Flathead National Forest, RFP-R1-10-03-10, Response Date: April 23, 2003, Kalispell, MT, 59901 Indefinite Quantity solicitation for Road Maintenance (Spring/Fall Blading); Flathead, Lake, Lincoln, and Missoula Counties, Montana. Nola Rice, Procurement Technician, Phone 406-758-5310, Fax 406-758-5326, Email nrice@fs.fed.us - Barbara Venturini, Procurement Technician, Phone 406-758-5318, Fax 406-758-5326, Email bventurini@fs.fed.us <http://www.eps.gov/spg/USDA/FS/0385/RFP%5FR1-10-03-10/listing.html>

DBE Supportive Services , Civil Rights Bureau
MT Department of Transportation
PO Box 201001
Helena, MT 59620-1001
800-883-5811
TTY (800) 335-7592

ADDRESS CORRECTION REQUESTED

STATE DOCUMENTS COLLECTION

APR 16 2003

MONTANA STATE LIBRARY
1515 E. 6th AVE.
HELENA, MONTANA 59620



Cal Frank, Presenter and attendees
MDT Bidding/Estimating Wkshop, Helena, March 11 '03



MDT Bidding/Estimating Wkshop, Billings, Mar. 13 '03



MDT Bidding/Estimating Wkshop, Helena, March 11 '03
DBE Pavlik Electric's John Webster and Lance Pavlik



MDT/Blackfeet Tribal Working Session, Mar. 21 '03
Browning, MT



DBE NEWSLETTER

MONTANA DEPARTMENT OF TRANSPORTATION
Published Monthly by DBE Supportive Services

Volume 3, Issue 5

Promoting the growth of Disadvantaged Business in Montana

May 2003

Upcoming Dates

- DBE Room May 21, '03, Colonial, Helena
- Bid Letting May 22, '03, MDT Helena



New Express Blower Equipment to seed remote locations
with access problems or excessive slopes
Quality Landscape, Belgrade, MT

Nancy Warneke Named 2003 Montana SBA Minority Small Business Advocate of the Year

Congratulations!! Nancy is the Director
of the Salish Kootenai College, Tribal Business
Center in Pablo, MT.

MONTANA DBE PROGRAM

Darren Kaihlanen, DBE Program Manager
dkaihlanen@state.mt.us (406) 444-9229

Debbie Riemann, DBE Program Specialist
driemann@state.mt.us (406) 444-6337

Rebecca L. Johnson, DBE Supportive Services Manager
rejohnson@state.mt.us (800) 883-5811, (406) 444-7287

Vicky Koch, Civil Rights Bureau Chief
vkoch@state.mt.us (406) 444-6335

Office Location/Address: 2701 Prospect Avenue/PO
Box 201001, Helena, MT 59620-1001, (406) 444-6331,
Fax (406) 444-7685 TTY (800) 335-7592
Visit us on-line at www.mdt.state.mt.us and click on
Civil Rights Bureau

Letter From Darren Kaihlanen

It is with mixed emotions that I ask Rebecca to publish this in the DBE Newsletter. However, I would like to take this opportunity to address all DBE companies as well as those companies that have been supporters of the DBE Program.

Effective May 30, 2003, I am resigning my position at the Montana Department of Transportation as the DBE Program Manager. Over the past few years I have enjoyed watching companies grow and achieve many successes in the program and I will truly miss being part of that opportunity.

I wish all of you the best of luck in your future endeavors and I thank you for allowing me to serve you as a representative of MDT and your state's government.

Darren Kaihlanen

DBE Participation/Goal Comparison

MDT federally-funded projects, as of April 30, 2003:

DBE Participation is 5.43%

DBE Goal is 7.36%

(FY2003, Pending FHWA Approval)

INSIDE THIS ISSUE

1	Dates, Nancy Warneke, Darren's Letter, DBEGoal,
2	DBE Co. Update, Best Practice Biz Tip, Bid Results, Reminder, Element K, Change to DBE Workshops
3	DBE Survey Results, Quote, MDT Request SOQ, Wages & Hours, Job Link Web Site, Free Safety Workshops
4	Your Credit Score, Credit Scoring, SBA - Advocacy
5	Safety & Work Zone Aware. Fraud in Highway Const
6	MT Contracting Opportunities
7	MT Contracting Opportunities Continued

Montana DBE Company Monthly Update

Newly DBE-Certified Companies:

B & B Diversified Materials, Fairfield, CA -

Owner, Beverly Christensen

Supplier - Miscellaneous. railroad materials & tools.

Ethnoscience, Inc., Billings, MT -

Owner, Lynelle A. Peterson

Consultant - Historical & Cultural Resource Assessment, Anthropology, Native American Consulting, Ethnography, Cultural Impact Studies, Archaeology, Resource Inventory & Evaluation, National Register Nominations Research.



"Best Practice" Business Tips

Please share your best practice tips for your business with other DBE companies. If we publish your tip, you will receive an MDT coffee cup. Please e-mail your tips to Rebecca.

Reminder -

DBE Companies - Have you filed your Quarterly Activity Report that was due 4/30/03? If not, please help us out and get those in to Rebecca. The form is on DBE Supportive Services web site.

Change to DBE Training Workshops

Due to poor attendance at the last workshop, Contractor Quality Control Management, in general, future workshops will have a \$25.00 fee and registration form requirement. If you attend the workshop, your check will be returned.

Training is provided to meet your needs. If you need specific training, please send your suggestions to Rebecca. If we get a positive response from contractors/consultants for specific training, we will do our best to offer the training at a low cost. However, you must commit to attending; otherwise it is a waste of time and money for us to put on workshops that only a few attend.

Element K On-Line Courses Offered

Sign up for courses now - deadline is **May 31st**. You can use your reimbursement funds to take courses on your computer. Over 800 courses are offered. www.elementk.com Check it Out - Call Rebecca today!

As Read MDT April 24, 2003 Bid Letting Results

Project Title and #	Prime Bidder	Low Bid Amount	DBE Participation Dollars/%
STPHS 56(57) Guardrail - Old US 87	Omo Construction, Inc.	\$ 93,610	\$ 66,962 71.53%
STPHS 14-4(17)140 2000 Signing - 14 KM E of Ryegate	Omo Construction, Inc.	\$ 11,067	\$ 11,038 99.73%
STPS 251-2(7)45 Flaxville - South	Northern Improvement Company	\$ 851,610	\$ 67,221 7.89%
NH 63-2(6)19 1 KM N of Judith Gap - North	Century Companies, Inc.	\$ 931,425	\$ 58,693 6.30%
STPS 0002(664) Shiloh Road/South Frontage Road - Billings	H L Construction, Inc.	\$ 364,592	
STPP 1-2(120)128 Signal - US 2/Birch Grove Road	Montana Lines, Inc.	\$ 358,630	\$ 296,923 82.79%
IM 90-7(85)340 1 KM East of Jct US 89 - East	Riverside Contracting, Inc.	\$ 4,083,989	\$ 249,448 6.11%
NH 50-2(50)48 Big Sky - North	Riverside Contracting, Inc.	\$ 1,827,316	
STPS 229-1(3)5 North Montana Ave - Helena	Helena Sand & Gravel, Inc.	\$ 340,800	\$ 27,781 8.15%
STPP 14-5(16)196 Melstone East & West	Wickens Construction, Inc.	\$ 10,099,238	\$ 313,408 3.10%
STPHS-NH 85-1(8)5 Turn Bays - South of Belgrade	JTL Group, Inc. - Belgrade	\$ 417,335	
NH 1-2(125)143 Signal - Main St. Hungry Horse	Schellinger Construction Co.	\$ 2,143,196	\$ 309,103 14.42%
STPP 39-1(29)12 Colstrip - South	E H Oftedal & Sons, Inc.	\$ 8,292,962	\$ 248,871 3.00%
STPHS 0002(481) 1997 D1 Misc Safety	JTL Group, Inc. - Kalispell	\$ 224,501	\$ 19,324 8.61%
BH 1805(9) Silver Bow Creek - Montana Street - Butte	Edward T Copps Construction	\$ 427,644	

DBE Supportive Services Survey Results (Feb 2003)

17 surveys received. Ratings were:

- Overall Services - 8 Good, 8 Excellent
- DBE Newsletter - 3 Fair, 5 Good, 9 Excellent
- Reimbursement Program - 2 Fair, 7 Good, 7 Excellent
- One-on-One Consulting Services - 5 Fair, 2 Good, 8 Excellent
- DBE Room - 5 Fair, 7 Good, 2 Excellent
- Training/Workshops - 10 Good, 6 Excellent

Suggested Improvements were: More information on How-To Marketing, Big picture stuff like reauthorization T-3, "best practices" by DBEs; more training on accounting procedures, technical, setting up a company, certified payrolls, marketing, GSA supplier list; higher reimbursement amounts, more money for training; more DBEs attending the DBE room; more opportunity marketing.

Bamby and Rebecca will continue to strive to meet each companies needs in the DBE Program. Please let us know anytime what you need and how we can better meet those needs. We have enjoyed working with each of you and hope we may help your business grow and prosper.

Wage and Hour Issues

Montana Employment Law Letter, April 2003

Although your business might be governed by the federal Fair Labor Standards Act, you're also subject to Montana law. Under state law, you aren't allowed to deduct from an employee's pay for mistakes or breakage or loss. Those may be disciplinary issues, but you can't take away wages.

State law also says you can't require an employee to use electronic deposit for payroll checks unless you have her consent. In fact, you should get a written consent from the employee for any deductions other than those mandated by law.

Montana law doesn't require you to give employees rest breaks. If you do, however, you must continue to pay them during any break of less than 30 minutes. Breaks of 30 minutes or more can be unpaid as long as employees are completely relieved from duty.

One last little tip: Merely paying an employee a salary doesn't make him exempt from the overtime regulations. To be exempt, an employee must meet the tests set out in the law. To make matters more confusing, some employees may be exempt under federal law but not under state law. That's why we advise you to always check before you decide how to categorize an employee.

Montana Job Source Job Link Web Site

Post your job advertisements free on this web site:

<http://jsd.dli.state.mt.us/mjshome.htm>

Quote of the Month

The most important single ingredient in the formula of success is knowing how to get along with people.

THEODORE ROOSEVELT

MDT Request Statement of Qualifications (SOQ)

MDT is requesting SOQ from consulting firms to provide services in environmental investigation, site assessments, and remediation for hazardous materials investigation and remediation. Projects are statewide. The consultant will assist MDT with compliance with laws, rules, and regulations related to hazardous waste, materials, asbestos, solid waste, and air and water quality. Scope of work includes: Investigation of MDT Right-of-Way; Investigation of MDT Maintenance Facilities, Construction, Regulatory Compliance, Solid and Hazardous Waste Identification and Disposal, Consultation, Petro Board Reimbursement, Design, Impaired Streams, Source Water Protection, Compliance, and Project Reporting. Proposal is due June 2, 2003. Please contact me for a complete copy of this request.



Keith Reiss, Northern Improvement Co., North Dakota, DBE Room, April 23, 2003

Free Safety Workshops by Montana State Fund (MSF)

May 13 – Glendive, May 14 - Billings
May 15 – Bozeman, May 20 - Helena
May 21 – Lewistown, May 22 – Butte

MSF is helping employers control their rising insurance costs and improve their workplace safety environment. Call 800-332-6102, ext 5892.

Your Credit Score

Credit Scores are the three digit numbers that lenders use to decide whether to lend you money and at what interest rate. Historically, the credit score is a number between 300 and 900. The rationale is that the higher the score the less risk there is to the lender that you will not repay the loan.

Fair, Isaac and Company, the credit scoring standard, provides the major credit bureaus (Equifax, Trans Union and Experian) with a credit score formula. The bureaus use the formula to generate numbers, which are known as FICO scores.

Until now FICO scores have been closely held by lenders and not generally available to consumers. By June 2001, at least one state, California, required that credit bureaus provide the credit scores to state residents who are applying for credit. In addition to the calculation of a credit score, credit bureaus also generate "reason codes" which explain why your score is not higher. California will require lenders to disclose the top 4 reason codes.

How Your Credit Score is Determined:

1. Payment History: Approximately 35%
2. Amounts Owed: About 30%
3. Length of Credit History: About 15%
4. Pattern of Credit Use: About 10%
5. Types of Credit in Use: About 10%

Generally a Credit Score of **650 and above** indicates a very good credit history. People with these scores will usually find the loan process quick and easy, and will have a good chance to obtain a loan at a relatively low interest rate.

Scores between **620 and 650** indicate basically good credit. (Average FICO scores fall into this range.) People with scores in this range have a good chance at a loan at a good rate, but may have to provide additional documentation and explanations to the lender before the loan is approved.

A score below **620** may prevent a borrower from getting the best interest rates, as they may be considered a greater credit risk but it doesn't mean funding can't be found

This information from Consumer Credit Score Online
<http://www.credit-scoreonline.com>

SBA Office of Advocacy

Small businesses...

- Represent more than 99% of employers
- Employ 51% of private-sector workers, 51% of workers on public assistance, and 38% of workers in high-tech occupations
- Represent nearly all of the self-employed, which are 7.0% of the civilian work force
- Provide about 75% of the net new jobs
- Provide 51% of the private sector output
- Represent 96% of all exporters of good
- Obtain 33.3% of federal prime & sub dollars
- Are 53% home-based & 3% franchises

These statistics and other small business frequently asked questions (FAQ's) can be found on their website:
www.sba.gov/advo/stats/sbfaq.html

Credit Scoring...

**A News Release from John Morrison,
Montana's Insurance Commissioner, 4-8-03**

HELENA - State Auditor John Morrison filed an administrative action Tuesday against Farmers Alliance Mutual Insurance for alleged violations of the law involving credit scoring.

Morrison alleges that Farmers Alliance failed to provide a Bozeman consumer with specific reasons for increasing her insurance premiums after she had submitted a request to the company in writing.

"Credit scoring is a consumer issue of national concern, but Montana law allows for its use," said Morrison, Montana's Insurance Commissioner. "If companies are going to use it, consumers have the right to know how it is being used and how it affects their premiums."

The woman referenced in the administrative action, a professor at Montana State University, received a large automobile insurance rate increase. She was directed by her insurer, Farmers Alliance, to look at her credit rating and credit score as potential causes for the rate increase.

Choice Point, a credit scoring entity used by many insurers, reported significantly different credit scores for the consumer and her husband. The woman's credit score was 188 points lower than her husband's.

In its notice of proposed agency action the State Auditor's Office asserts that there has been no change to the couple's financial status over the past two years that could justify a change in financial stability as determined by the insurance company. In fact, the State Auditor's Office found that after more than 20 years of marriage, the consumer and her spouse's credit reports were very favorable and nearly identical. The woman's report noted a "lack of reported information on oil company accounts."

Choice Point provided the woman with a general explanation of items that affect credit scores, including the following:

1. Consumers who use retail accounts to buy merchandise have more insurance losses. Retail accounts include clothing stores, jewelers, furniture, mailorder and stores such as J.C. Penney's or Sears.
2. Consumers who have established accounts with oil companies have better loss experience. This includes cards issued by gas/service stations such as Texaco, BP.

May Business Calendar

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
				1	2	3
4	5	6	7	8	9	10
11	12 <Managing Skills for First-Time Manager Missoula <How to Handle Difficult People Bozeman <How to Balance Priorities Kalispell	13 >Communicating with Tact & Skill Missoula >Making the Most of Media Helena <How to Handle Difficult People Helena <Effective Communication Billings <How to Balance Priorities Missoula	14 >Excelling-1 st -Time Supervisor Gt Falls <Managing Skills for First-Time Manager Helena >Powerful Communication - Workplace Helena <Effective Communication Bozeman <How to Balance Priorities Helena	15 > Communicating with Tact & Skill Helena > How to Handle Difficult People Missoula <Effective Communication Missoula <How to Balance Priorities Bozeman	16 > Powerful Communication Skills-Workplace Missoula <8 Hr. HAZWOPER Refresher Billings <How to Balance Priorities Great Falls	17
18	19 >Fundamentals of Personnel Law for Managers Missoula <CPR/First Aid Billings <Conflict Mgmt Missoula	20 >Fundamentals of Personnel Law for Managers Helena <Managing Skills for First-Time Manager Bozeman <Forklift Instructor Course(PIT)Billings <Conflict Mgmt Helena	21 <Fundamentals of Personnel Law for Managers Billings > Communicating with Tact & Skill Bozeman <Conflict Mgmt Bozeman	22 <Managing. Skills 1st-Time Manager. Billings > Effective Commun. Gt Falls >Managing Conflict Negotiatg Hamilton <Interpreting Unemploymt Rules Missoula <Conflict Mgmt Great Falls	23 > Communicating with Tact & Skill Billings	24
25	26	27 > How to Handle Difficult People Billings	28 >Powerful Communication Skills-Workplace Billings	29	30 <Business Writing Basics for Pros Billings	31
1	June 2 <Criticism & Discipline- for Managers Kalispell	June 3 <Directors Series (Fund. of Safety Management) Billings <Criticism & Discipline- for Managers Missoula <Evaluating a Business Idea Missoula	June 4 <40 Hr. HAZWOPER Training (5 Weds. In a row) Billings <Criticism & Discipline- for Managers Helena	June 5 <Criticism & Discipline- for Managers Bozeman	June 6 <Criticism & Discipline- for Managers Great Falls	7

2003

40 Hr. HAZWOPER Training, June 4, 11, 18, 25, July 2 (5 Wed. in row)-Billings, Non-member \$450. Associated Employers of Montana, 406-248-6178

8 Hr. HAZWOPER Refresher, May 16-Billings, Non-mem. \$150. Associated Employers of MT, 406-248-6178

Business Writing Basics for Pros, May 30-Billings, \$199. Skillpath Seminars, 800-873-7545, www.skillpath.net

Communicating with Tact & Skill, May 13-Missoula, May 15-Helena, May 21-Bozeman, May 23-Billings, \$179. National Seminars Group, 800-258-7246, www.natsem.com

Conflict Management & Confrontational Skills, May 19-Missoula, May 20-Helena, May 21-Bozeman, May 22-Great Falls, \$99. Fred Pryor Seminars, 800-556-2998, www.pryor.com

CPR/First Aid, May 19-Billings, Non-members \$60 Associated Employers of Montana, 406-248-6178

Criticism and Discipline-Skills For Managers, June 2-Kalispell, June 3-Missoula, June 4-Helena, June 5-Bozeman, June 6-Great Falls, \$149. CareerTrack, 800-556-3009, www.careertrack.com

Directors Series (Fund. Safety Mgmt), June 3-Billings, Non-mem. \$100. Mt Safety Services Co., 406-248-4893.

Effective Communication, May 13-Billings, May 14-Bozeman, May 15-Missoula, May 22- Great Falls, Non-members - \$195. Associated Employers of Montana, 406-248-6178

Evaluating a Business Idea, June 3 (Noon)-Missoula, \$10. Montana Community Development Council, Steve Grover, 406-728-9234, sgrover@mtcdc.org

Excelling-First-Time Supervisor, May 14-Gt Falls, \$199. Skillpath Seminars, 800-873-7545, www.skillpath.net

Forklift Instructor Course (PIT), May 20-Billings, \$100. Associated Employers of MT, 406-248-6178

Fundamentals/Personnel Law for Managers, May 19-Billings, May 20-Helena, May 21-Billings, \$199. Skillpath Seminars, 800-873-7545, www.skillpath.net

How to Balance Priorities and Manage Multiple Projects, May 12-Kalispell, May 13-Missoula, May 14-Helena, May 15-Bozeman, May 16-Gt. Falls, \$145. Fred Pryor Seminars, 800-556-2998, www.pryor.com

How to Handle Difficult People, May 12-Bozeman, May 13-Helena, May 15-Missoula, May 27-Billings, \$139, National Seminars Group, 800-258-7246, www.natsem.com

Interpreting Unemployment Insurance Rules & Reg., May 22-Missoula, ?cost. JSEC-Deb Gass 406-543-5751.

Making the Most of Media, May 13-Helena, Free. Business Resource Center, Stephanie Hilger, 406-443-0800.

Management Skills for First-Time Supervisors, May 12-Missoula, May 14-Helena, May 20-Bozeman, May 22-Billings, \$179. National Seminars Group, 800-258-7246, www.natsem.com

Managing Conflict, Negotiating, and Improving Communication, May 22-Hamilton, ?cost. Rural Institute Ravalli Services-Nancy Maxson, 406-243-2458. maxson@selway.umt.edu

Powerful Communication Skills for the Workplace, May 14-Helena, May 16-Missoula, May 28-Billings, \$139. National Seminars Group, 800-258-7246, www.natsem.com

Highway Safety and Work Zone Awareness
Excerpts - Speaking Points - Dave Galt, Director MDT (April 7, 2003)

Across the nation, travelers are focusing on the start of the construction season and the increased traffic that the summer and fall seasons bring. In calendar year 2001, one thousand seventy-nine (1,079) people were killed in work zone accidents throughout the United States, six (6) of them in Montana.

As if those statistics weren't troubling enough, the Federal Highway Administration reports that four out of five fatalities in work zones are motorists. That's right - motorists. Most people do not realize that motorists are the individuals at highest risk in roadway work zones. By educating our travelers, we can save lives. I am here to ask you to do your part in making our work zones a safe place for motorists and workers alike.

1. Pay attention to the orange signs that indicate you are approaching a work zone, and give your full attention to the roadway.
2. Turn on your headlights.
3. Slow down to the posted speed limit.
4. Keep up with the traffic flow.
5. Minimize distractions, and be patient.
6. And, last but not least, utilize MDT's new 511 traveler information service to learn about roadway construction prior to hitting the road.

Six fatalities in Montana work zones in 2001 was six too many. I challenge the public to help bring that number down to zero this year. I would like nothing more than to stand here one year from now and tell you that we accomplished our goal of zero fatalities in Montana work zones in 2003.

FRAUD IN HIGHWAY CONSTRUCTION

When any program increases significantly in funding as the Federal-aid program did in 1998 under TEA-21 – up 40 percent nationally – the risk of waste and mismanagement increases. That is why the Department of Transportation (DOT) has placed a greater emphasis on fraud prevention and detection. FHWA division offices and State transportation agencies have a responsibility to report suspicions of fraudulent activity in highway construction projects. They also are required to ascertain that the people they do business with are eligible to participate in Federally-assisted projects--that they are not "excluded parties." Excluded parties are individuals and companies debarred, suspended, proposed for debarment, or declared ineligible by a Federal agency.

REPORTING SUSPICIONS OF FRAUD, WASTE, OR ABUSE

Any suspected fraudulent activity--whether it involves a Federal or State employee, contractor, subcontractor, or any other participant in a Federally-assisted highway project-- should be reported to one of the contacts listed below.

A few examples or indicators of possible fraud are listed below.

- Falsifying DBE Application and/or support documents
- Prime or subcontractors acting as fronts
- Kickbacks, employer takes out unauthorized deduction from employees pay, contractor forces employee to reimburse contractor because they let the employee work on a project or for that company
- Prime contractor making a payment to the subcontractor, but the work is performed by the prime contractor employees
- Questionable documentation-- altered, backdated, modified, or missing information
- Use of multiple or unusual mailing addresses and post office boxes on documents and certifications
- Mismatching or mislabeling of products or materials
- Incomplete contractor or supplier files--missing original delivery records or certifications showing source, specifications, tests
- Consistent cost overruns
- Truck weight tickets showing loads that exceed truck capacity
- Preparing and submitting false certified payrolls and other documents to public contracting agencies
- Evidence of bid rigging
- Falsifying books, records and tax returns of their companies
- Submitting false documentation to various unions and union benefit funds

Federal funds available through grant programs should be used to accomplish the intended goals of the DBE Program. Any indication of fraud, waste, abuse, or mismanagement of the DBE funds, the DBE Program, Labor Compliance, and related Federal-aid programs should immediately be reported to MDT at (406) 444-6331, TTY: (406) 444-7696, FHWA at (406) 449-5307, or the Office of Inspector General at (800) 424-9701, U.S. Department of Transportation. Callers may be anonymous and may request that their identity be protected. To report suspicious activity, call the National OIG hotline (800-424-9047) or e-mail hotline@oig.dot.gov

MDT Highway Construction Projects Invitation for Bids, Letting of May 22, 2003

For the most complete and timely bid information, go to the web site <http://mdt.state.mt.us/ctrct/contract.htm> and click on Invitation for Bids. While the newsletter has notices posted, do not rely on this information alone.

Sealed bids on the following projects will be received by the MDT-Highways Division, Contract Plans Section, Room 101, 2701 Prospect, Helena, MT until 9:00am on May 22, 2003. Bids proposals, plans, cross-sections, and full instructions to bidders are on file for examination, and may be obtained from the Contract Plans Section 406-444-6216, 6212 or 6215, Fax 406-444-7236 or go to web site <ftp://ftp.mdt.state.mt.us/contract/orderform.pdf> for order form.

1. **Battlefield-East, Federal Aid Project No. NH 37-1(23)0** Surface reconstruction, grade, aggregate subbase, cement treated base, plant mix bituminous surface, seal & cover on 13.9 km of Battlefield-East Rd on US 212 in Bighorn County. DBE contract goals at 1.5%.
2. **10th Ave. South-River Drive, Federal Aid Project No. STPP 10-1(22)0** Grading, plant Mix Surfacing, PCCP, sidewalks, signing, signals, water mains, storm drains & sanitary sewers on the 10th Ave. South-River Drive project in Cascade County. DBE contract goals are 4.0%.
3. **Shelby-North, Federal Aid Project No. IM 15-8(56)366** Leveling, plant mix overlay and seal and cover on 23.6 km of the Shelby-North project on I-15 in Toole County. DBE contract goals are 2.0%.
4. **District 2 – Seismic Retrofit, Federal Aid Project No. IM 0002(455)** Seismic retrofit on sixteen structures on the District 2 – Seismic Retrofit project in Gallatin County. DBE contract goals are 0.0%
5. **JCT. MT 44 – North & South, Federal Aid Project No. STPP 3-3(16)84** Plant mix bituminous surfacing overlay, seal and cover on 9.0 km of the JCT. MT 44 – North & South Road on US 89 in Pondera County. DBE contract goals are 2.0%
6. **Pass Creek – 2 Km SW of Wyola, Federal Aid Project No. BR 9002(31)** Construction of a 31.0 meter prestressed concrete beam bridge and grading, aggregate surfacing, plant mix surfacing, seal & cover of approaches on 0.3 km of the Pass Creek – 2 Km SW of Wyola project on a Big Horn County road from RP 0.40 to 0.60. DBE contract goals are 2.0%.
7. **Scott Street - Gardiner, Federal Aid Project No. NH 11-1(42)0** Plant mix bituminous surfacing, seal and cover on 1.7 km of the Scott Street-Gardiner project on US 89 in Park County. DBE contract goals are 5.0%.
8. **Downtown Sidewalk Ramps - Havre, Federal Aid Project No. CM 5799(8)** Vaulted sidewalk, sidewalk ramps on the Downtown Sidewalk Ramps-Havre project in Hill County. DBE contract goals are 0.0%.

MT Contracting Opportunities

MDT Purchasing Department Bid Invitations

- 306865** Bearmouth Rest Area Maintenance - Opens May 29, 2003 3:00pm
csd004 Hazardous Materials Investigation & Remediation - Opens June 02, 2003
306869 Seeley Lake North Overlay - Opens May 29, 2003 3:00pm
306867 Hanger Doors - Opens May 27, 2003 3:00pm
306858 Wolf Point Janitorial Services - Opens May 28, 2003 3:00pm

The Montana Department of Environmental Quality is seeking assistance from entities interested in providing professional, technical assistance to public water supplies in performing security vulnerability assessments and in preparing emergency response plans. Bid Date: June 3, 2003. RFP 03-605P <http://www.discoveringmontana.com/doa/gsd/osbs/AllSolListingNew.asp>

Cowell Conservation Easement-Interior Fencing Phase III, 60 miles south of Malta, FWP 7995313. Bid Date: May 29, 2003, Bid Walk Through May 20, 2003, Westside Café in Malta 1:00pm, Montana Fish, Wildlife and Parks, Design and Construction Bureau, (406) 841-4000

Rudyard Park Landscaping, Hill County, Bid Date: May 29, 2003, 1 sprinkler irrigation system. Pre Bid May 15 1:30pm Commission Office, Hill County Commission at Havre, Montana.

The Chippewa Cree Tribe, Tribal Water Resource Department will receive sealed bids on Bonneau Dam Phase II, Aggregate Material Production Contract including the production of approximately 86,000 cy of RCC Aggregate and 51,000 cy of Granular Drain Material. These site visits are schedule for Thursday, May 8, 2003 at 9:00 AM. Contact Jay Eagleman at(406)395-4225 Bid Date: May 29, 2003. For further information call (406) 395-4225 for Jim Morsette.

MT Contracting Opportunities-Continued

Clark's Return Roads, Presolicitation, RFP-R1-02-03-28, Bid Date: June 20, 2003 Forest Service, R-1 Beaverhead-DeerLodge National Forest, Project consists of minor clearing, brushing, excavation for turnouts, spot aggregate placement, construction of roadway drainage features and signs on approximately 15.6 miles of existing single-land road. The project location is approximately 20 miles west of Wisdom, MT, in the Trail Creek, Lost Trail Pass, Gibbons Pass area. A Pre-Bid Meeting is scheduled for June 5, 2003. The solicitation package will be available for bidders approximately the end of May 2003. Lisa Rakich, Procurement Technician, Phone 406-683-3968, Fax 406-683-3844, Email lrakich@fs.fed.us <http://www.eps.gov/spg/USDA/FS/0356/RFP-R1-02-03-28/listing.html>

South Phillips Fences 2003 located in north central Montana, ESQ 030118, Bid Date: June 5, 2003, BLM Montana State Office, Furnishing labor, equipment, supplies and materials, except for specified Government-furnished property to construct approximately 16.5 miles of new fence with appurtenances, and remove approximately 16.5 miles of existing fence. Work is in Phillips County, state of Montana. Lori Mading Purchasing Agent 4068965196 Lori_Mading@blm.gov; <http://www.eps.gov/spg/DOI/BLM/NBC/ESQ030118/listing.html>

Larb Fences in Montana, ESQ030121, Bid Date: June 5, 2003, BLM MONTANA STATE OFFICE. Furnish labor, equipment, supplies and materials, except for specified Government-furnished property to construct approximately 12.7 miles of new fence with appurtenances, and remove approximately 12.7 miles of existing fence. Work is located in Phillips County, State of Montana. Lori Mading Purchasing Agent 4068965196 Lori_Mading@blm.gov; <http://www.eps.gov/spg/DOI/BLM/NBC/ESQ030121/listing.html>

Sheppard Griffin Road Decommissioning on the Flathead NF, RFQ_R1-10-03-21, Bid Date: June 4, 2003, Flathead National Forest, The project consists of reclamation of approximately 17 miles on numerous roads located on the Tally Lake Ranger District, Flathead County, Montana. Items of work include stake re-establishment; construction of road closure berms, rock barriers, waterbars, and removal and disposal of culverts; stream restoration; and seeding, fertilizing, and mulching. Additionally, erosion control blankets and straw wattles are required to be placed as specified. Barbara Venturini, Procurement Technician, Phone 406-758-5318, Fax 406-758-5326, Email bventurini@fs.fed.us - Nola Rice, Procurement Technician, Phone 406-758-5310, Fax 406-758-5326, Email nrice@fs.fed.us <http://www.eps.gov/spg/USDA/FS/0385/RFQ%5FR1-10-03-21/listing.html>

Highway Construction, MT PFH 29-1(1), DTFH70-03-B-0009, Lakeside to Nelson Road, Bid Date: June 5, 2003, Western Federal Lands Highway Division, Helena National Forest, Lewis and Clark County, Montana. This action is being considered for a total hubzone small business set-aside. This work consists of 5.14 km of foamed asphalt base stabilization, asphalt concrete pavement, geogrid reinforced earth fill, guardrail, striping, and signing. Project is located approximately 20 km northeast of Helena, Montana. Western Federal Lands Highway Division, Phone (360)619-7520, Fax (360)619-7932, Email contracts@wfl.fha.dot.gov <http://www.eps.gov/spg/DOI/FHWA/WFL/DTFH70-03-B-00009/listing.html>

Lemhi Pass Road & Sacajawea CG Upgrade, RFP-R1-02-02-34, Bid Date: May 30, 2003, R-1 Beaverhead-Deerlodge National Forest, Lemhi Pass Road Reconstruction and Sacajawea Campground upgrade. Work includes clearing & grubbing, removal of existing metal pipe culverts, installation of silt fence, soil erosion and pollution control, earthwork geotextile, placing aggregate, replacing cattleguards, seeding and removal and installation of signs. Karen Weidenbaugh, Supervisory Contract Specialist, Phone 406-683-3983, Fax 406-683-3844, Email kweidenbaugh@fs.fed.us - Lisa Rakich, Procurement Technician, Phone 406-683-3968, Fax 406-683-3844, Email lrakich@fs.fed.us <http://www.eps.gov/spg/USDA/FS/0356/RFP-R1-02-02-34/listing.html>

Fort Howes Water System, IFB-R1-08-03-14, Bid Date: June 2, 2003, R-1 Custer National Forest, The work consists of constructing a chlorination building & installing PVC water line; furnishing & installing gravity sewer line, one trailer sewer connection, PE water line, Brenda Pretty Paint, Procurement Technician, Phone 406-657-6205 x216, bprettypaint@fs.fed.us The project is located at Fort Howes 25 miles south of Ashland, MT. <http://www.eps.gov/spg/USDA/FS/0355/IFB-R1-08-03-14/SynopsisP.html>

Clarks Return - Signs, RFQ-R1-02-03-25, Bid Date: June 15, 2003, Beaverhead-Deer Lodge National Forest, Hwy. 43 west from Wisdom, MT to Lost Trail Pass, Work includes furnishing, installing and removal of signs. Lisa Rakich, Procurement Technician, Phone 406-683-3968, Fax 406-683-3844, Email lrakich@fs.fed.us - Lisa Rakich, Procurement Technician, Phone 406-683-3968, Fax 406-683-3844, Email lrakich@fs.fed.us <http://www.eps.gov/spg/USDA/FS/0356/RFQ-R1-02-03-25/listing.html>

Construction Materials Testing and Geotechnical Professional services, R1-03-23, Bid Date: May 30, 2003, Forest Service, R-1 Northern Region intends to award an indefinite quantity contract for professional Construction Materials Testing, construction monitoring, and Geotechnical services for the Region. Only firms with Registered Professional Engineers licensed in the States of Idaho, Montana, North Dakota, and South Dakota will be considered. The associated laboratory must be Nationally accredited by AASHTO in Asphalt Testing. The work involves engineering services related to low-volume road design and construction in Region One of the USDA Forest Service. Services required will be primarily in the areas of construction materials testing and inspection with minor emphasis in the investigation and design areas. Sarah Langston, Contract Specialist, Phone 406-329-3657, Fax 406-329-3536, Email slangston@fs.fed.us - Leta Wicka, Purchasing Agent, Phone 406-329-3148, Fax 406-329-3536, Email lwicka@fs.fed.us <http://www.eps.gov/spg/USDA/FS/0343/R1-03-23/listing.html>

Chipseal, Street Patching, City of Billings, Bid Date: May 20, 2003, <http://ci.billings.mt.us/rfps/default.htm>
Sewage Treatment and Conveyance Facilities, City of Billings, Bid Date: May 27, 2003, Pre Bid Date: May 15, 2003, <http://ci.billings.mt.us/rfps/default.htm>

DBE Supportive Services , Civil Rights Bureau
MT Department of Transportation
PO Box 201001
Helena, MT 59620-1001
800-883-5811
TTY (800) 335-7592

STATE DOCUMENTS COLLECTION

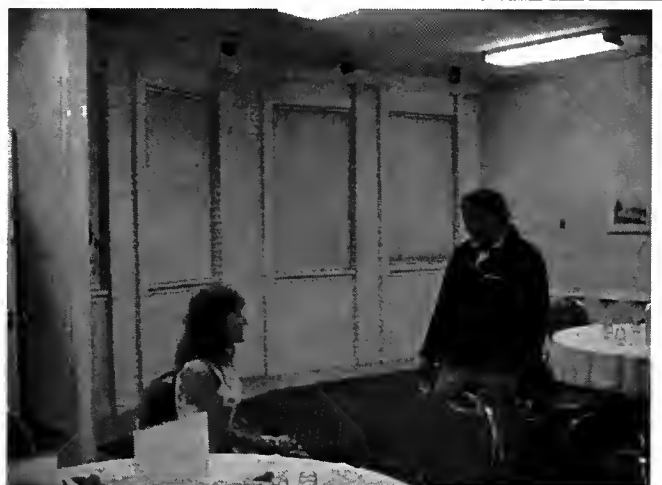
MAY 14 2003

ADDRESS CORRECTION REQUESTED

MONTANA STATE LIBRARY
1515 F. E. AVE
HELENA, MONTANA 59620



Antique Grader, Fort Missoula



Lisa Counts, Morning Star Trucking, and Gary Erickson,
COP Construction, DBE Room, Helena, 4-23-03



DBE NEWSLETTER

MONTANA DEPARTMENT OF TRANSPORTATION
Published Monthly by DBE Supportive Services

Volume 3, Issue 6

Promoting the growth of Disadvantaged Business in Montana

June 2003

Upcoming Dates

- DBE Room June 25, '03, Colonial, Helena
- Bid Letting June 26, '03, MDT Helena
- Contracting with the Government Workshop, June 25 '03, Great Northern Best Western, Helena

Farewell Darren....

All of us from the MDT Civil Rights Bureau would like to bid a fond farewell to Darren Kaihlanen. We wish him the best in his new endeavors. His hard work and dedication to his job have been greatly appreciated by all. Darren has played a vital role in determining MDT's responsibilities in complying with federal regulations, not an easy or popular job. He has provided expertise and knowledge to DBE companies, contractors, and MDT staff on every aspect of the DBE and ADA programs. He is an inspiration to us all to strive to be our best.

Thanks for answering all our questions. Best of Luck, Darren. You are always welcome back to Montana to fish the best streams.

MONTANA DBE PROGRAM

Debbie Riemann, Acting DBE Program Manager,
Acting ADA Coordinator driemann@state.mt.us
(406) 444-9229

Rebecca L. Johnson, DBE Supportive Services
Manager rejohnson@state.mt.us (800) 883-5811,
(406) 444-7287

Vicky Koch, Civil Rights Bureau Chief
vkoch@state.mt.us (406) 444-6335

Office Location/Address: 2701 Prospect
Avenue/PO Box 201001, Helena, MT 59620-1001,
(406) 444-6331, Fax (406) 444-7685 TTY (800)
335-7592

Visit us on-line at www.mdt.state.mt.us and click
on Civil Rights Bureau



Rebecca Haaland, Laborer, Westway
Construction, Albion North & South

Debbie Riemann

Currently, Debbie Riemann is Acting DBE
Program Manager and Acting ADA Coordinator
for the Montana Department of Transportation.
Please refer your questions to Debbie.

DBE Participation/Goal Comparison

MDT federally funded projects, as of May 29, 2003

DBE Participation is 6.24%

DBE Goal is 7.36%

(FHWA Approved, FY2003)

INSIDE THIS ISSUE

1	Dates, Farewell Darren, Debbie Riemann, DBEGoal
2	DBE Company Update, Government Contracting Workshop, New Laws, Bid Results
3	Telephone Scan, Safety Videos, Practice Safety
4	Employee Handbook, Media-Advertising, 3 Steps/ Success
5	National Highway Specifications, Highway Symbols/Miles Environmental SOQ, MCA Internet Plans Room
6	MT Contracting Opportunities, Important Changes, Quote
7	MT Contracting Opportunities Continued

Newly DBE-Certified Companies:

Par Golf Construction – Billings, MT

Owner, Grant Noonkester

Water and Sewer Installation, Golf Courses, Road Construction, Seeding,
Landscaping

Withdraws from the DBE Program:

Pavlik Electric – Missoula

Owner, Kathleen Pavlik



Is Government Contracting for Your Business? Workshop

Helena

Great Northern Best Western

June 25th, 8:00am – 5:00pm

Learn what services and products the
government buys, what the process is
to contract with the government and
Meet government contracting agents

To register, call Rebecca.

(There is a \$25.00 fee for lunch and
workshop.)

2003 Montana Legislature - New Laws to Know

House Bill 438 - Revise Construction Prompt Payment Law - Passed and signed by the Governor. The bill provides that a contract must define the billing cycle in writing and that a contractor must submit payment requests to an owner. A contractor's request for payment is considered to be approved by an owner 21 days after receipt of request unless a written statement is provided to the contractor specifying items that are disapproved by the owner. Payment must be made to the contractor within 7 days of approval. Current legislation provides that a contractor may suspend performance under a contract if payment is not made within 30 days. Current legislation also provides that a contractor must pay a subcontractor within 7 days of receiving payment from an owner. This Law does not apply to state construction projects.

House Bill 482 - Indemnification in Insurance Clauses for Construction Contracts - Passed and signed by the Governor. The bill prohibits indemnification clauses in contracts that require one party to indemnify, hold harmless, insure or defend the other party to the contractor for liability, damages, losses or costs that are caused by the negligence, recklessness or intentional misconduct of the other party. The bill was introduced primarily by the Subcontractors' Association with support from MBIA and MCA.

Look up complete Bill/Law at [http://laws.leg.state.mt.us/pls/laws03/law0203w\\$.startup](http://laws.leg.state.mt.us/pls/laws03/law0203w$.startup)

As Read MDT May 22, 2003 Bid Letting Results

Project Title and #	Prime Bidder	Bid Amount	Low Bid Amount	DBE Participation Dollars/%
NH 37-1(23)0 Battlefield - East	E H Oftedal & Sons, Inc.	\$14,901,471	\$331,135	2.22%
STPP 10-1(22)0 10th Ave South - River Drive	Cop Construction LLC	\$10,894,156	\$498,018	4.57%
IM 15-8(56)366 Shelby - North	JTL Group - Highway	\$ 3,849,800	\$234,458	6.09%
IM 0002(455) D2 Seismic Retrofit	Edward T Copps Construction	\$ 1,658,567		
STPP 3-3(16)84 JCT MT 44 - North & South	Riverside Contracting, Inc.	\$ 895,060	\$127,968	14.30%
BR 9002(31) Pass Creek - 2 Km SW of Wyola	Cop Construction LLC	\$ 778,710	\$ 41,733	5.36%
NH 11-1(42)0 Scott Street - Gardiner	JTL Group - Belgrade	\$ 353,989	\$100,102	28.28%
CM 5799(8) Downtown Sidewalk Ramps - Havre	Phillips Construction	\$ 118,326	\$118,326	100.00%

June Business Calendar

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
1	2	3	4	5	6	7
8	9 >Criticism & Discipline Skills Missoula	10 >Criticism & Discipline Skills Great Falls	11 >Criticism & Discipline Skills Helena >Women's Leadership Day Bozeman	12 >Criticism & Discipline Skills Bozeman	13 >Criticism & Discipline Skills Billings	14
15	16 >DOT & Non-DOT Drug & Alcohol Compliance Great Falls	17 >Communicating with Tact & Finesse (June 17-18) Helena >DOT & Non-DOT Drug & Alcohol Compliance Billings	18 >Communicating Professionalism in the Workplace Bozeman >DOT & Non-DOT Drug & Alcohol Compliance Bozeman >OSHA 10-hr General Industry (June 18-19) Havre	19 >Communicating with Tact & Finesse (June 19-20) Missoula >DOT & Non-DOT Drug & Alcohol Compliance Missoula	20 >Communicating Professionalism in the Workplace Billings >Managing Multiple Projects, Objectives & Deadlines Helena >The Conference for Women Billings >8hr HAZWOPER Refresher Billings	21
22	23 > CPR/First Aid Billings	24 >Forklift Instructor Course (Train the Trainer) Billings >Medic First Aid Glasgow	25 >How to Become a Better Communicator Billings >Leadership Development & Teambuilding Missoula >Mosaic Manager Session I Glendive >Generation Gymnastics Glendive	26 >Fundamentals of Successful Project Management (June 26-27) Billings >Medic First Aid Sidney >Mosaic Manager Session I Glendive	27	28
29	30 >CPR/First Aid Billings >Human Resource & the Law (June 30-July 1) Helena >Management & Leadership Training for First-Time Supervisors (June 30-July 1) Helena	July 1 >HazMat Shipping Training Billings >Evaluating a Business Idea Missoula	July 2 >8hr HAZWOPER Refresher Billings	July 3	July 4	5

2003

8 HR HAZWOPER Refresher, June 20 Billings, July 2 Billings, \$150. MT Safety Services Council, 406-248-4893, acarillo@associatedemployers.org.

Communicating Professionalism in the Workplace, June 18 Bozeman, June 20 Billings, \$149. Key Productivity Center, 800-258-7246, www.keyetrain.com

Communicating with Tact & Finesse, June 17-18 Helena, June 19-20 Missoula, \$395. National Seminars Group, 800-258-7246, www.natsem.com

CPR/First Aid, June 23 Billings, \$60. MT Safety Services Council, 406-248-4893, acarillo@associatedemployers.org

Criticism & Discipline Skills, June 9 Missoula, June 10 Great Falls, June 11 Helena, June 12 Bozeman, June 13 Billings, \$195. National Seminars Group, 800-258-7246, www.natsem.com

DOT & Non-DOT Drug & Alcohol Compliance, June 16 Great Falls, June 17 Billings, June 18 Bozeman, June 19 Missoula, \$215. Associated Employers of Montana, 406-248-6178, acarillo@associatedemployers.org

Evaluating a Business Idea. An overview of business ownership. July 1 Missoula, \$10. Montana Community Development Corporation. Steve Grover, 406-728-9234, sgrover@mtcdc.org.

Forklift Instructor Course (Train the Trainer), June 24 Billings, \$100. MT Safety Services Council, 406-248-4893, acarillo@associatedemployers.org.

Fundamentals of Successful Project Management, June 26-27 Billings, \$499. SkillPath Seminars, 800-873-7545

Generation Gymnastics. How to get along & motivate others. June 25 Glendive, June 29 Glendive, \$40. Glendive Job Services, 406-377-3314, glendiveisc@dl.state.mt.us.

HazMat Shipping Training, July 1 Billings, \$100. MT Safety Services Council, 406-248-4893, acarillo@associatedemployers.org. (Participants must pre-register at least one week prior to the class.)

How to Become a Better Communicator, June 25 Billings, \$149. SkillPath Seminars, 800-873-7545.

Human Resource & the Law, June 30-July 1 Helena, \$479. Padgett-Thompson, 800-258-7246, www.pttrain.com

Leadership Development & Teambuilding, June 25 Missoula, \$199. SkillPath Seminars, 800-873-7545.

Management & Leadership Skill for First-Time Supervisors, June 30-July 1 Helena, \$395. National Seminars Group, 800-258-7246, www.natsem.com

Managing Multiple Projects, Objectives & Deadlines, June 20 Helena, \$199. SkillPath Seminars, 800-873-7545

Medic First Aid, June 24 Glasgow, June 26 Sidney. MT DOL Safety Bureau, 406-444-6401

Mosaic Manager Session I. Understanding interpersonal relationship within the workplace. June 25 Glendive, June 26 Glendive, \$40. Glendive Job Services, 406-377-3314, glendiveisc@dl.state.mt.us.

OSHA 10-hr. General Industry, June 18-19 Havre. MT DOL Safety & Health, 406-444-6401.

The Conference for Women, June 20 Billings, \$149. SkillPath Seminars, 800-873-7545.

Women's Leadership Day, June 11 Bozeman, Cost ? Offering career and leadership classes at MSU. MSU Extension, 406-994-3273, tbiggs@montana.edu.

MT Companies - Beware of Telephone Scam

The Montana Public Service Commission has received several complaints recently about questionable telephone bills that have been sent to Montana small businesses. Callers to the PSC report having received bills for \$28.84 from a company called 00 Operator Services of Sarasota, Florida. The bills claim to be final notices for collect phone calls placed in October from a number in New Mexico. The notice threatens that late fees, penalties and collection charges will be levied if the consumer does not pay by May 31. The bills appear to be going to small business owners in Montana and other states as well.

According to PSC Chairman Bob Rowe, "Cramming refers to companies adding charges to your phone bill for services the customer didn't agree to buy. The Montana PSC is very tough on these abuses and has some good new tools from the Legislature. For scams like this, though, there is no substitute for checking your bill very carefully to make sure you understand the charges." Consumers who have received one of these bills should call Vicki Duncan, Montana PSC, at 1-800-646-6150.



Safety Videos

Free Videos from MDT – just ask Rebecca to check out for 14 days. We are working to offer the first two videos to DBE companies. Just ask for a copy (very good videos about safety on road construction projects).

Highway Work Zone Safety, One Step From Death, it shows five accident stimulations based on typical safety problems found in highway work zones. Very Strong Message about the dangers in work zones. 11 minutes.

Playing with Your Life – a no nonsense approach to working on highway construction projects. It describes the equipments and safety practices while on the project site. 14 minutes.

Crane Safety, Crane Types 19 minutes, Hazard Awareness 15 minutes

Paving Safety, emphasis is on taking personal responsibility for being aware of the changing hazards during paving operations. 11 minutes

Loading, Transporting & Unloading Heavy Equipment – Emphasis is on visibility and respect for the size of the equipment. 12 minutes.

Moving Operations/Maintenance Safety describes short-term highway operations from snow plowing. It emphasizes awareness of hazards and individual responsibility for safety. 13 minutes

Practice Safety on the Project

Go to the site where your employees will be working and look for hazards. Write up a safety program for your company. Get some videos for your safety program (see list in the next column).

According to the Montana Safety Culture Act, all employers shall establish, implement and maintain an education based training program which provides each employee with a general safety orientation appropriate to the business operations, provide task specific training before they perform that task without direct supervision, offer continuing regular refresher safety training, provide a system for the employer and employees to develop an awareness and appreciation of safety, provide periodic self-inspection of hazard assessment when the safety program is implemented, include documentation of performance of these activities. Ask the Safety Bureau for a copy of this Act.

If you have more than 5 employees, employers must meet all of the requirements listed above as well as have a comprehensive and effective safety program which includes: 1. policies and procedures that assign specific responsibilities and safety performance accountability. 2. procedures for reporting, investigating, and taking corrective action on all work-related accidents, etc. 3. a safety committee in place which complies with the requirements listed in this brochure.

Contact Safety and Health Bureau, MT Dept of Labor and Industry (444-6418) <http://erd.dli.state.mt.us/Safety/SBhome.htm> for confidential comprehensive OSHA safety and health consultation at no cost, technical assistance on safety and health issues, safety videos to check out, assistance with a company safety program, and workplace safety and health training. Looking for safety brochures of safety program development guide? Go to their web site at <http://erd.dli.state.mt.us/Safety/SBprograms.htm>



Jason West, President, Westway Construction, Albion North and South

Make an Employee Handbook

Before your company grows to over a few employees it is a good idea to put together an employee handbook. Employee handbooks can be used to clear up any confusion on how you want your company to function, what your company policies are, and to set up standards for employee conduct. Employee handbooks can be used as proof if your company is taken to court. With that in mind, only put policies in the handbook that you are willing to stand by even in a court of law, because you are legally bound to them also.

The new employee is brought up to speed quickly and it shows that you treat all your employees fairly and equally. Your company is always changing, learning as it grows; so review your handbook yearly and make changes to the policies that aren't working for you. Make a dated replacement page for each page that you change and distribute them to each employee.

Most employee handbooks should include these basic sections:

General Information This should outline your company's benefits, break/lunch schedule and per-diem policy.

Company Policies Affirmative action policies, sexual harassment, employee conduct and problem resolution should be spelled out here. Employee conduct should explain exactly what conduct will not be tolerated in your workplace.

Safety Requirements This should be the cornerstone for your safety program. Policies outlining how equipment is to be used and not used can make the difference in getting a job done on time safely.

Leave, Vacation, Holidays All employees need to know your policies on holiday pay, sick days and time off. Other issues may include inclement weather, jury duty, voting, pregnancy leave, military leave and bereavement leave.

Pay and Raises Spell out your policies on pay issues such as the distinction of full-time and part-time, what your pay rate for overtime is and when your paydays are. An important addition to this section can be a policy of yearly employee evaluations and raises.

Termination When the time comes it is best to have a policy on resignations, dismissals, probations and appeals. It is also best to have a plan for remaining sick days and vacation days.

Job Descriptions This section can help a new employee define his responsibilities and show him exactly what is expected of him from the beginning.

Company Vehicles If company vehicles or equipment is to be used it is a good idea to have policies on where to get gas, when and how to maintain them and who is responsible for these activities.

All employees should sign and date a statement that they have read and understand all company policies in the employee handbook. This is critical in a court case.

An employee handbook can show new employees what their job is, how to conduct themselves at work and what to expect from you as an employer. It can save you time and money so everyone wins.

From: South Dakota DBE News, Dec./Jan. 2003

Strength of Different Media – ADVERTISING

“Making the Most of Media” – Business Resource Center, Helena, May 13, 2003, Guest Speakers – Greg Zeller, (KMTX-Radio); Dave Worstell (Independent Record), Kathy Ernst (KTVH)

Radio – High frequency for low cost, can be quite creative/imaginative

Print (paper) – Reaches large number of people, can cut out & keep for referral (coupons). Low cost.

TV – Showcase personality best, probably costs less than you would think

Representatives of all three media agree it is important that you interview all three media industries to determine what media meets your needs best and who you work best with.

In most businesses, it works best to have a campaign using all three media. It is also more effective for your company if you have some type of image for your business and all your advertising efforts show continuity of your image.

You must give your advertising campaign a chance – a minimum of three months. Results are rarely instant. It is important to map out a campaign and a budget before seasonal crunch times. Account representatives in the industry should offer suggestions to you if you tell them whom you are trying to target and what you want people to say about your business/what you want people to think about your products or services. If they won't, find someone who will.

A way to make your money go farthest is sponsor local news, weather, sports or special programming. The rule of thumb for marketing budgets for your company is 3-5% of gross sales as the general range for maintaining market share. Media is usually ready to negotiate on times/slots that are unsold.

3 Steps to Success (Forward Focus, Spring 2003)

1. Identify an unserved or under-served market niche.
2. Do what you do very well.
3. Listen to your customer.

The National Highway Specifications Web Site

The Federal Highway Administration (FHWA) and the American Association of State Highway and Transportation Officials (AASHTO) is launching a new National Highway Specifications website, providing methods to search and access specifications from National Transportation Agencies, all State DOTs, AASHTO, and many highway related organizations. It will feature the most current and approved standard specifications, performance related specifications (PRS), the latest quality assurance (QA) specifications, and convenient links to the National Highway Institute (NHI) training materials. The web site is expected to be up and running by the end of June 2003. The address is <http://www.fhwa.dot.gov/construction/> and then click on The National Highway Specifications Web Site link.

Request for Monitoring of Wetland Mitigation Sites

MDT is requesting SOQ from environmental consultants to provide monitoring of approximately 35 wetland mitigation sites across the state of Montana. Contract will be for 3 years. Submission deadline is July 1, 2003.

For the complete request, please go to:

<ftp://ftp.mdt.state.mt.us/bids/cs/d005rfq.pdf>

or call Rebecca for a paper copy.

Did you ever wonder??

Here is a listing of the entire Highway systems and designated miles in the state of Montana

I	Interstate	1,191 miles
NI-NHS	Non-Interstate Nat'l Highways	2,683 miles
P	Primary	2,815 miles
S	Secondary	4,698 miles
U	Urban	383 miles
SH	State Highway	1,180 miles
Off	Local (Off System)	56,525 miles

Total Miles by MDT Financial District ("On-System" includes Interstate, NI-NHS, Primary, Secondary, Urban and State Highways)

MDT Financial Districts	Off-System Highway	On-System Highway
1 - Missoula	11,712	2,107
2 - Butte	7,163	2,127
3 - Great Falls	12,451	2,825
4 - Glendive	15,873	3,496
5 - Billings	9,326	2,395

MCA Internet Plan Room

The iSqFt AGC Internet Plan Room (IPR) features competitively bid project plans and specifications, typically in Montana.

You can search specifications for all currently bidding projects. You can click to order paper plans/specs that are delivered within 24 hours and print them in-house. Subcontractors and Suppliers access the Internet Plan Room and the General Contractors' Construction Office to view public and private projects.

For the free two-week trial, go to www.isqft.com and click on the Register Now button.

Annual Subscription Rates:

Basic on-line bulletin, simple on-line listing of basic project details.

Free for MCA members

\$1,250 for non-MCA members

Internet Plan Rooms, a searchable/sortable listing of all project details plus allows viewing of plans and specifications.

\$995 for MCA members

\$1,450 for non-MCA members

MCA has approved a new membership classification for Specialty Contractors that allows you to join the MCA as non-voting members for only \$500/year.

MONTANA



MDT Highway Construction Projects Invitation for Bids, Letting of June 26, 2003

For the most complete and timely bid information, go to the web site <http://mdt.state.mt.us/contract/contract.htm> and click on Invitation for Bids. While the newsletter has notices posted, do not rely on this information alone.

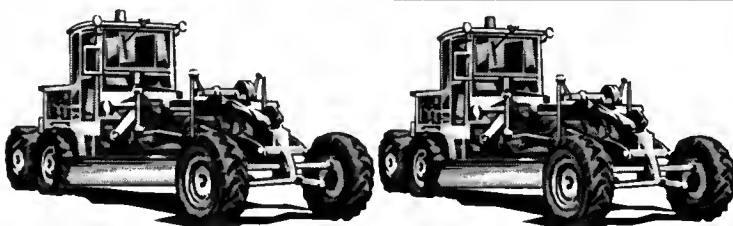
Sealed bids on the following projects will be received by the MDT-Highways Division, Contract Plans Section, Room 101, 2701 Prospect, Helena, MT until 9:00am on June 26, 2003. Bids proposals, plans, cross-sections, and full instructions to bidders are on file for examination, and may be obtained from the Contract Plans Section 406-444-6216, 6212 or 6215, Fax 406-444-7236 or go to web site <ftp://ftp.mdt.state.mt.us/contract/orderform.pdf> for order form.

1. **Northwest of Sidney-North, Federal Aid Project No. NH 62-2(17)27F** Grading, cement treated base, plant mix surfacing, seal & cover & a 32 meter prestressed Concrete Type IV Beam bridge over First Hay Creek on 15.5 km of the Northwest of Sidney-North road on MT Primary 62 in Richland County. DBE contract goals at 2.0%.
2. **Dickie Bridge-Wise River, Federal Aid Project No. STPP 46-6(3)58** Grade, gravel & plant mix surfacing on the Dickie Bridge-Wise River project in Silver Bow & Beaverhead Counties. DBE contract goals are 4.0%.
3. **Hill County Line-East, Federal Aid Project No. NH 1-6(46)333** Cold milling, pavement pulverization, cement treated pulverized base, hot recycled plant mix, plant mix bituminous surfacing, seal & cover on 15.221 km of the Hill County Line-East project in Hill County. DBE contract goals are 2.5%.
4. **Dehart-East & West, Federal Aid Project No. IM 90-7(75)360** Grading, gravel, plant mix surfacing and digouts on 6.5 km of the Dehart-East & West Road on Interstate 90 in Sweetgrass County. DBE contract goals are 2.0%
5. **Conrad-Southwest, Federal Aid Project No. STPS 219-2(2)16** Grading, gravel, plant mix surfacing & 22.5 meter prestressed concrete Beam-Type A bridge over South Pondera Coulee, on 5.4 km of the Conrad-Southwest Road on MT Secondary 219 in Pondera County. DBE contract goals are 3.5%
6. **Paving-Thompson Falls & Thompson Falls-Southwest, Federal Aid Project Nos. CM 45(32) & STPS 471-1(7)0** CM 45(32): Plant mix paving of the streets & alleys at four locations in the City of Thompson Falls. STPS471-1(7)0: Overlay, seal & cover on 16.5 km of the Thompson Falls-Southwest Road on MT Secondary 471 in Sanders County. DBE contract goals are 2.0%.
7. **D5-Non-Interstate Guardrail, Federal Aid Project No. NH 0002(593)** Guardrail & Bridge Rail on the D5-Non-Interstate Guardrail project in Carbon, Yellowstone, Judith Basin, Fergus, Petroleum & Musselshell Counties DBE contract goals are 0.0%.
8. **D1-Guardrail Upgrade, Federal Aid Project No. STPP 0002(576)** Guardrail & Bridge Rail upgrade on the D1-Guardrail Upgrade project in Granite, Sanders & Lake Counties. DBE contract goals are 0.0%.
9. **2001-Ashland-West, Federal Aid Project No. STPHS 37-2(26)60** Plant mix bituminous overlay, seal & cover on 2.2 km of the 2001-Ashland-West project on US 212 in Rosebud County, beginning at RP 59.8 & extending east to RP 61.2. DBE contract goals are 0.0%.
10. **Brady St./Joslyn St.-Helena, Federal Aid Project No. CM 5899(20)** Grading, gravel surfacing, plant mix bituminous surfacing, seal & cover, curb & gutter, sidewalk on 0.861 km of the Brady St./Joslyn St.-Helena project in Lewis & Clark County. DBE contract goals are 1.5%.
11. **Division/5th St.-Polson, Federal Aid Project No. CM 24(18)** Grade, gravel & plant mix surfacing on the Division/5th St.-Polson project in Lake County. DBE contract goals are 0.0%.

Important Changes from Contract Plans

Addenda It is each bidder's responsibility to acknowledge all addenda as outlined in Supplemental Specifications 102.07. Bidding Requirements. Addenda may be issued up to 48 hours before the time of the bid opening. If addenda are not acknowledged as required, the bid will be considered non-responsive.

Supplemental Detailed Drawings A new set of Supplemental Detailed Drawings are available and will be in effect for the June letting. Hard copies are available from Contract Plans for \$4.00 by mail. They are available free of charge if picked up from Contract Plans and are available on the Internet on the Contractor's System Web Page at no charge. An index is also available and included in all bid packages that shows the status of all the current Detail Sheets.



Quote of the Month

There are always a lot of people so afraid of rocking the boat that they stop rowing. We can never get ahead that way.

HARRY S. TRUMAN
33RD U.S. President

MT Contracting Opportunities-Continued

Repair Storm Sewer System, DAHA24-03-B-0003, Great Falls, MT, Bid Date: June 27, 2003, Remodel and new construction of Montana Air National Guard base storm sewer system. Dan McGee 406-324-3406.

Lewis & Clark Nat'l Historic Trail Interpretive Center Amphitheater/river camp landscape enhancements, R1-12-03-021, Great Falls, Bid Date: June 16, 2003, site work, concrete, metals, woods & plastics, finishes and electrical, David Hallen, 406-449-5201 Helena National Forest

Choteau Airport Perimeter Wildlife Fence, Choteau, MT, Bid Date: July 2, 2003, Fencing and concrete. Choteau Airport, Stelling Engineers 406-452-8600, www.mail@stellinginc.com

Spotted Bear Hay Shed and Roof Replacements at Spotted Bear and Swan Lake Ranger Districts, RFQ R1-10-02-28, Bid Date: July 3, 2003, Construct a new hay shed and remove and dispose of the existing roofing materials and install new roofing materials. Flathead National Forest, Barbara Venturini, 406-758-5318.

Powell Water Distribution System Replacement, R1-5-03-29, Lolo, MT, Bid Date: June 30, 2003, Clearwater National Forest, Install a new 38-connection drinking water distribution system at Powell Ranger Station. Replacing current water reservoir hatches and valves. Trenching will require removing and replacing existing roadway surfacing and will encounter existing sanitary sewer lines, power cables, and fiber optic phone lines. Peter Ruppel, Contract Specialist, Phone 208-476-8259, Fax 208-476-8288, Email pruppel@fs.fed.us <http://www.eps.gov/spg/USDA/FS/0276/R1-5-03-29/listing.html>

Shaw Ridge Well located in MT, ESQ030125, Presolicitation Notice, Bid Date: Jul 11, 2003, Bureau of Land Management, Solicitation will be posted June 16, 2003. To complete the construction of one 1710-foot deep artesian water well. The proposed project is 100% set aside for small business concerns. Lori Mading Purchasing Agent 4068965196 Lori_Mading@blm.gov; <http://www.eps.gov/spg/DOI/BLM/NBC/ESQ030125/listing.html>

Replacement of Fresches Coulee Dam, 601813R250, Bid Date: July 1, 2003, US Fish and Wildlife Services, Medicine Lake National Wildlife Refuge, Montana Construct a low water concrete spillway crossing (sometimes referred to as a Texas Crossing). The crossing will be approximately 80 to 120 feet long and approximately 40 to 70 feet wide and will be designed to pass the 100-year flood event. The crossing will be constructed using concrete, large riprap, and a cutoff wall in preventing the structure from being prematurely washed out. Michael Bachofen Contracting Officer 3032365412245 michael_bachofen@fws.gov; <http://www.eps.gov/spg/DOI/FWS/CGSWO/601813R250/listing.html>

Phillips Reservoirs 2003 in Phillips County, MT, ESQ030122, Bid Date: July 12, 2003, BLM Montana, Construct 6 uncompacted embankment dams and 11 pits. The contractor will furnish an estimated quantity of 35,754 cubic yards of common excavation and 24,902 cubic yards of embankment uncompacted. The proposed award is 100% set aside for small business concerns. The solicitation will be available on June 12, 2003. Lori Mading Purchasing Agent 4068965196 Lori_Mading@blm.gov; <http://www.eps.gov/spg/DOI/BLM/NBC/ESQ030122/listing.html>

Laplaz Pipeline located in MT, Phillips County, MT, ESQ030123, Bid Date: July 11, 2003, BLM Montana, Construct a water storage bag, an enclosure and approximately 5 miles of pipeline with stock tanks. The contractor will furnish an estimated quantity of 1) 29,960 linear feet of Trenching, Backfilling and Compacting-Common. The proposed award is 100% set aside for small business concerns. The solicitation will be available on June 12, 2003. No hard copies will be sent. Lori Mading Purchasing Agent 4068965196 Lori_Mading@blm.gov; <http://www.eps.gov/spg/DOI/BLM/NBC/ESQ030123/listing.html>

Tree Trimming and Felling, NAR030087, Bid Date: July 8, 2003, BLM, Lewistown, MT, hazardous tree trimming and felling at six sites and further bucking and piling on slash located north of Lewistown, Montana on the Missouri River. This is 100% set-aside for HUBZone small business concerns. Steven Santoro Contracting Officer 3032363518 Steven_Santoro@blm.gov; <http://www.eps.gov/spg/DOI/BLM/NBC/NAR030087/listing.html>

Replace Fence Along Auto Tour Route, 601813Q373, Bid Date: July 15, 2003, US Fish and Wildlife Services, Provide all labor and equipment to replace approximately five (5) miles of existing fence at the Lee Metcalf National Wildlife Refuge, Stevensville, Montana. The solicitation will be issued on or about June 13, 2003 Aileen China Contracting Officer 3032365412230 aileen_china@fws.gov; <http://www.eps.gov/spg/DOI/FWS/CGSWO/601813Q373/listing.html>

DBE Supportive Services , Civil Rights Bureau
MT Department of Transportation
PO Box 201001
Helena, MT 59620-1001
800-883-5811
TTY (800) 335-7592

ADDRESS CORRECTION REQUESTED



Darren Kaihlanen and Pat Mackey, Broadus, Summer 2002

STATE DOCUMENTS COLLECTION

JUN 10 2003

MONTANA STATE LIBRARY
1515 E. 6th AVE
HELENA MONTANA 59620



DBE NEWSLETTER

MONTANA DEPARTMENT OF TRANSPORTATION
Published Monthly by DBE Supportive Services

Volume 3, Issue 7

Promoting the growth of Disadvantaged Business in Montana

July 2003

Upcoming Dates

- DBE Room July 23, '03, Colonial, Helena
- Bid Letting July 24, '03, MDT Helena
- DBE Quarterly Report Due, July 31, '03

Never too late to think SAFETY

DBE Supportive Services has **free** copies of the "One Step from Death" video.

The video emphasizes the need to work safely on highway construction projects. It is a good video to include in your company safety program. It is 11 minutes and shows five different stories of work accidents in the work zone.

Just ask Rebecca for a copy. Non-DBEs will be charged a small fee of \$3.00 per video.

Coming Soon -Web Site Addition

Soon Prime Contractors will be able to click on a button and complete a few boxes to request quotes from DBE Construction Companies. These requests will be e-mailed to the companies within 24 hours. It will be available in the next month on CRB web site – watch for this notice.

MONTANA DBE PROGRAM

Debbie Riemann, Acting DBE Program Manager,
Acting ADA Coordinator driemann@state.mt.us
(406) 444-9229

Rebecca L. Johnson, DBE Supportive Services
Manager rejohnson@state.mt.us (800) 883-5811,
(406) 444-7287

Vicky Koch, Civil Rights Bureau Chief
vkoch@state.mt.us (406) 444-6335

Office Location/Address: 2701 Prospect
Avenue/PO Box 201001, Helena, MT 59620-1001,
(406) 444-6331, Fax (406) 444-7685 TTY (800)
335-7592

Visit us on-line at www.mdt.state.mt.us and click
on Civil Rights Bureau



Alice Flesch, MDT Civil Rights Bureau, with HK
Construction Employee on Whitehall Street Project



DBE Participation/Goal Comparison

MDT federally funded projects as of June 30, 2003

DBE Participation is 5.05%

DBE Goal is 7.36%

(FHWA Approved, FY2003)

INSIDE THIS ISSUE

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Newly DBE-Certified Company:

Peaks To Plains Design– Billings, MT

Owner, Jolene Rieck

Landscape Architectural Design including: Site Design, Land & Community Planning, Wetland Studies, Project Design, Bikeways Design, Ornamental and Native Landscape Design & much more.



Vicky Koch, MDT Civil Rights Bureau Chief

Montana Attorney Thelma Stiffarm to Head Office of Native American Affairs at SBA

Thelma Stiffarm has been appointed as Assistant Administrator of the U.S. Small Business Administration's Office of Native American Affairs. Within the Office of Entrepreneurial Development, Stiffarm will direct and coordinate agency-wide programs to promote, expand and enhance small business opportunities and services for Native Americans, reservation-based Native Americans and tribal governments.

Stiffarm, part Cree and Gros Ventre, is an enrolled member of the Gros Ventre Tribe of the Fort Belknap Indian Reservation in north central Montana. For more information, call the SBA Answer Desk at 1-800 U ASK SBA or TDD 704-344-6640, or visit www.sba.gov.

Consultants – FYI

Best guideline for you to understand your obligations relating to FAR audits is the Uniform Audit and Accounting Guide. It can be found on AASHTO web page at:

<http://www.transportation.org/download/AudAcctgGuide.pdf> or Rebecca can e-mail you a copy. To comply with FAR audit, know your allowable expenses for direct and indirect costs. Know contract specifications like profit margin consideration and per diem rates.

DBE Quarterly Activity Report Due July 31, 2003

Please complete and mail/ fax attached report form to me by July 31, 2003. Fill in the requested information for any projects you have bid on or worked on during the time frame of April to June 2003. This includes non-MDT work also. The program requires verification that you company is an active business.

As Read MDT June 26, 2003 Bid Letting Results

Project Title and #	Prime Bidder	Low Bid Amount	DBE Participation % and Dollars	
NH 62-2(17)27 F Northwest of Sidney - North	Franz Construction, Inc.	\$9,760,513	2.0%	\$576,127
STPP 46-6(3)58 Dickie Bridge - Wise River	A M Welles, Inc.	\$3,590,287	4.0%	\$367,081
NH 1-6(46)333 Hill County Line - East	Riverside Contracting, Inc.	\$5,124,869	2.5%	\$437,647
IM 90-7(75)360 Dehart - East & West	Schellinger Construction Co., Inc.	\$8,322,646	2.0%	\$299,140
STPS 219-2(2)16 Conrad - Southwest	Schellinger Construction Co., Inc.	\$2,350,696	3.5%	\$253,902
CM 45(32) Paving - Thompson Falls	Riverside Contracting, Inc.	\$1,155,161	2.0%	\$72,702
STPP 0002(576) D1 - Guardrail Upgrade	Omo Construction, Inc.	\$1,213,363		\$728,018
CM 5899 (20) Brady St./Joslyn St. - Helena	Helena Sand & Gravel, Inc.	\$ 509,544	1.5%	\$11,490

DBE Named Idaho Small Business Person of the Year

Sylvia Medina, owner of North Wind Environmental, Inc. has been named the U.S. Small Business Administration's (SBA) 2003 Idaho Small Business Person of the Year. Medina was nominated for the award by David Aspitarte, President of Bionomics Environmental, Inc., another Idaho DBE.

Medina's company specializes in environmental planning, documentation, and compliance; waste management services; hazardous materials management; remedial action, and geosciences support.

MDT CONTRACTOR PAYMENT SCHEDULE

The Department of Transportation has two monthly contractor payment "cut off" dates for highway construction contracts in the State of Montana.

The West half of the State includes the Missoula and Butte Districts. In these Districts the deadline for submittal of the monthly contractor earnings by the Departments project managers to these District Offices occurs on the 1st of each month.

The East half of the State includes the Great Falls, Glendive, and Billings Districts. The deadline for submittal of the monthly contractor earnings by the Departments project managers to these District Offices occurs on the 15th of each month.

The District offices and the Construction Bureau have the next 10 days to process the payment information, send it to Accounting for coding and then authorize the payments.

For the West half of the State, the release date of the funds for these projects is the Friday closest to the 15th of the month. For the East half of the State, the release date of these funds is the Friday closest to the 25th of the month. The check is normally mailed to the contractor or direct deposit is made to the contractors account within the next few working days.

These are the time frames that MDT is working within. There may be some fluctuation with these time frames depending on the volume of contracts being processed, holidays, weekends, etc. This information was provided by Scott Allen and Len Lutey with the MDT Construction Bureau. Thank you!

Quote of the Month

Whether you think you can or whether you think you can't, you're right!

Henry Ford

Employee Recruitment Guide

Having trouble hiring the right person? Help is on the way. This guide assists employers in designing effective and legally defendable recruitment practices and helps increase employers' ability to hire the right person the first time.

Call Rebecca for your free copy. Guide is compliments of Dave Laber, Helena Job Service.

Shoestring Marketing Tips

(Summary of article in November 2002 Western Business)

- Personal Thank-You Note to Customers - handwritten, thank-you note on a regular basis.
- Niche Marketing is basic. Find that spot in the market that fits your company's strengths.
- Pro-Bono Benefit. Donate your services to a worthy fundraising event in your community - big publicity and pats on the back by your customers.
- Community Outreach. Participate in programs to educate the public. Be a volunteer speaker at your local school - pass out your company information.
- Postcards - low costs for direct mail.
- Trade-Out. Can you be trading out your services for free advertising. For example, free billboard advertising from a real estate company in return for web development work. The possibilities of trade-outs are endless and the rewards are big.

Good Books to learn of effective advertising and PR techniques: Public Relations Kit for Dummies by Eric Yaverbaum and Robert Bly, Feeding the Media Beast by Mark Mathis, How to Be Your Own Publicist by Jessica Hatchigan, 10 Ways to Screw Up an Ad Campaign by Barry H. Cohen.

MDT DBE Room

Any contractor (sub or prime) is welcome to attend the DBE Room. It is always the night before the bid letting from 6:00-9:00pm at the Red Lion Colonial Hotel in Helena.

Each time, an invited prime contractor(s) will be discussing with interested subcontractors what to know when working on MDT projects or submitting bids, etc from 7:30-8:00pm.

We have a fax and copier available for your use. Plans, Spec Books, Detailed Drawings, Bid Disks are also available. Come at anytime. Refreshments are served.

Independent Contractor?

Is the individual working for you an employee or independent contractor? Independent Contractors (IC) are perhaps the most misused category of workers in the business world. Under the Montana Workers' Compensation Act, you must provide coverage for all your workers. Individuals who sign independent contractor agreements or who hold Independent Contractor exemptions, may not be independent contractors in fact. Not withholding taxes and issuing 1099s does not by itself make a worker an independent contractor. The State of Montana considers workers as employees unless they are proven to be independent contractors. It is the responsibility of the hiring agent to determine the worker they are hiring is an IC in fact. Recently, in *Wild v. Fregein Construction and Montana State Compensation Insurance Fund*, 2003 MT 115, p 25, the Montana Supreme Court, ruled that "an employer has a clear obligation to make at least a cursory determination of whether the worker is an IC in fact, as opposed to merely in name, before the employer can reasonably rely upon the exemption." Montana statute defines an independent contractor as "an individual who renders service in the course of an occupation and:

- (a) has been and will continue to be free from control or direction over the performance of the services, both under a contract and in fact; and
- (b) is engaged in an independently established trade, occupation, profession or business."

A worker must meet both sections of the law, (a) and (b), to be an independent contractor.

Some factors to consider in determining if a worker meets part (a) of the definition above are:

- The worker is not required to follow written or oral instructions concerning how the work is to be done.
- The worker is not required to perform the services at certain established times.
- The worker is not furnished with the facilities, tools, and materials by the hiring agent to do the work.
- The worker is not paid based on the time spent doing the work, but rather is paid per job.
- The working relationship may not be terminated at will without liability involved.

Some factors to consider in determining if a worker meets part (b) of the definition above are:

- The worker can make a profit or incur a loss as a result of their work.
- The worker has two or more contracts with several different hiring agents.
- The worker has continuing or recurring liabilities associated with performing the services.
- The worker files federal or state business tax forms.
- The worker pays all expenses associated with performing the services, and is not reimbursed by the hiring agent.
- The worker advertises their services in telephone books, newspapers, or other media, and obtains insurance and business licenses.

The courts have stated that it is not only the evidence of control, but also the right to control that indicates whether the worker is an IC. The *Wild*, 2003 MT 115, p27 ruling also states, "a worker may be an IC at the time the exemption is issued, but change status as a factual matter later." Additionally, in *Wild*, 2003 MT 115, p39, the court stated employers are required "to make an initial good faith inquiry of the worker to determine that he or she does, in fact, meet the control and independently established business tests before the employer employs the worker as an IC and if the employer determines the worker is an IC, to thereafter treat the worker as an IC and not as an employee."

To sum it up, "if it looks like a duck, walks like a duck, and quacks like a duck, then it must be a duck, even if it is holding a piece of paper that says it is a chicken." This notice was provided by the MT Department of Labor & Industry as a guide only. For more information regarding independent contractor status, please call the Independent Contractor Central Unit at 406-444-1446 or <http://erd.dli.state.mt.us/WorkCompRegs/WCRhome.htm>

Bidding Tips **Summary of article in EC&M, February 2003**

Do

Ask lots of questions prior to bid day.
Thoroughly investigate the jobsite.
Have an open line of communication with your client.
Understand the scope of work.
Make sure you do your homework.

Don't

Try to put a bid together too quickly.
Get wildly optimistic.
Get caught up in the reverse auction.
Leave anything out of the bid.
Continuously bid at or below cost to keep your workers busy.

July Business Calendar

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
		1	2	3	4	5
6	7	8	9	10	11	12
13	14 >Getting the Most from Microsoft Office (July 14-15) Billings	15 >Writing a Business Plan Missoula >Introduction to Access Helena	16 >Coach & Teambuilding Skills for Managers Billings >Introduction to Access Helena	17 >Introduction to Access Helena	18	19
20	21	22 >SBIR-An Investment in Your Company's Future Helena	23 >Mosaic Manager Session II Glendive >Payroll Management Billings	24 >2Day Workshop for Personnel/HR Assistants (July 24-25) Billings >Payroll Mgmt. Helena >Evaluating a Business Idea Hamilton	25	26
27	28 >CPR/First Aid Billings	29 >Conference for Women 2003 (Jul 29-30) Helena >Forklift Instructor Course (Train the Trainer) Billings	30	31	Aug 1 >The Managers & Supervisors Conference Missoula	2
3	Aug 4 >Coaching, Mentoring & Team- Building Skills for Supervisors, Managers & Team Leaders (July 4-5) Helena	Aug 5	Aug 6 >Coaching, Mentoring & Team-Building Skills for Supervisors, Managers & Team Leaders (July 6-7) Missoula	Aug 7	Aug 8	

2003

2-Day Workshop for Personnel/HR Assistants, July 24-25 Billings, \$399. SkillPath Seminars, 800-873-7545.

Coaching & Teambuilding Skills for Managers & Supervisors, July 16 Billings, \$199. SkillPath Seminars, 800-873-7545.

Coaching, Mentoring & Team-Building Skills for Supervisors, Managers and Team Leaders, Aug 4-5 Helena, Aug 6-7 Missoula, \$395. National Seminars Group, 800-682-5078, www.natsem.com.

Compliance with Hazardous Materials Regulations – Train the Trainer, Aug 4 Great Falls, Aug 5 Billings, Aug 6 Bozeman, Aug 7 Missoula, \$215. Associates Employees of Montana, AEM, P.O. Box 1301, Billings, MT 59103, Fax: 406-248-6228, Phone: 406-248-4893, acarrillo@associatedemployers.org.

Conference for Women 2003, July 29-30 Helena, \$340. National Seminars Group, 800-682-5078, www.natsem.com.

CPR/First Aid, July 28 Billings, \$60. Montana Safety Services Council, MSSC P.O. Box 1301, Billings, MT 59103, Fax: 406-248-6228, Phone: 406-248-4893, acarrillo@associatedemployers.org.

Directors Series (Designed to develop managers & supervisors in understanding the fundamentals of safety management), Aug 5 Billings, \$100. MSSC, P.O. Box 1301, Billings, MT 59103, Fax: 406-248-6228, Phone: 406-248-4893, acarrillo@associatedemployers.org.

Evaluating a Business Idea, July 24 Hamilton, Cost ? Small Business Administration (SBA), Steve Grover, 406-728-9234 ext. 205, sbdc@mtdc.org.

Forklift Instructor Course (Train the Trainer), July 29 Billings, \$100. Montana Safety Services Council, MSSC, P.O. Box 1301, Billings, MT 59103, Fax: 406-248-6228, Phone: 406-248-4893, acarrillo@associatedemployers.org.

Getting the Most From Microsoft Office, July 14-15 Billings, \$399. SkillPath Seminars, 800-873-7545. Introduction to Access (versions 97, 2000, Xp-2002), July 15, July 16, July 17-all in Helena, \$210. The Computer School, 406-442-3366.

Mosaic Manager Session II, July 23 Glendive, \$40. Covers Art of Adjusting, conflict management and problem solving skills. Glendive Job Service, 406-433-1204, glendiveisc@dli.state.mt.us.

Payroll Management, July 23 Billings, July 24 Helena, \$309. Lorman Educational Services, 888-678-5565, www.lorman.com.

SBIR-An Investment in Your Company's Future, July 22 Helena, \$45. Fund new ideas and expand your company using SBIR (Small Business Innovation Research) awards. MT Dept. of Commerce SBIR Program and Gateway Economic Development Corp., Limited to 15 participants, 406-841-2749, Linda Brander, lbrander@state.mt.us.

The Managers and Supervisors Conference, Aug. 1 Missoula, \$199. SkillPath Seminars, 800-873-7545. Writing a Business Plan, July 15 Missoula, \$10. Small Business Administration (SBA). Steve Grover, 406-728-9234 ext. 205, sbdc@mtdc.org.

DATE:

Jan to March April to June July to Sept Oct to December
(circle quarterly report date range)

[illegible]

Important Subcontract Information

Section 1, paragraphs 2-4 of the Special Contract Provisions of your contract with MDT states: "2. Except as otherwise provided for in each section, the contractor shall insert in each subcontract all of the stipulations contained in these Required Contract Provisions and further require their inclusion in any lower tier subcontract or purchase order that may in turn be made. 3. A breach of any of these stipulations contained in these Required Contract Provisions shall be sufficient grounds for termination of the contract."

MDT has learned that a number of prime contractors do not physically attach the wage rates and the Required Contract Provisions to their subcontracts.

Subcontractors hiring lower tiered sub-subcontractors are also required to attach wages rates and the Required Contract Provisions. You can get a copy of Provisions at

http://www.mdt.state.mt.us/civilrights/pdf/req_contract_prov.pdf

Montana House Bill No. 438 (effective October 1, 2003)

This law will have an effect on highway construction projects only in relation to prime contractors paying subs. Prime contractors will have seven days (not three days) to pay subcontractors for completed work once prime contractor receives payment.

How to reward employees today

Find special assignments
Offer opportunities for high visibility
Give time off
Share information
Provide feed back
Make employees partners
Empower them
Celebrate their successes
Provide flexible hours
Increase employability via training

From: "Who's Coming through the Door Today," a teleconference from Chaffee & Associates, Littleton, CO March 5, 2003.



Hal Fuglevand, EH Oftedal; Joe and Dave Dirkson, Seven Springs Fencing; Pat Bibeau and Charlie Messerly, PS Contracting; and Lora Butler, Rockin' JL Specialties, DBE Room, Helena, June 25, 2003

10 Strategies to winning bids

(Summarized from EC & M, February 2003)

1. Analyze your market. Learn all you can about the market your company is in.
2. Do some competitive shopping. Learn about other bidders. You can better understand your competition. Compare your numbers against other bidders.
3. Do quality estimating work. Make sure your estimations are detailed, thorough, meticulous, and experienced.
4. Focus your bids. Select projects that best fit your company's market strengths. As a rule of thumb, contractors typically win about one out of every seven jobs. You could be wasting valuable time and money by bidding on everything in sight.
5. Make sure you have the adequate resources to do the work. Make sure you have the personnel and equipment to get the job done.
6. Get your financial house in order. Owners may consider a contractor's bonding capacity in a negotiated bid situation. Make sure you have adequate bonding to support a project's scope of work.
7. Don't count on change orders. Companies who bid at or below costs may no longer be able to recoup their losses through change orders.
8. Control labor and material costs. To provide a lower bid, look at labor and materials.
9. Emphasize safety. In a negotiated bid situation, the contractor with a strong safety record often has the competitive edge.
10. Shift to different market segments. Contractors who are continually losing bids may need to expand their reach to other markets.

MDT Highway Construction Projects Invitation for Bids, Letting of July 24, 2003

For the most complete and timely bid information, go to the web site <http://mdt.state.mt.us/contract/contract.htm> and click on Invitation for Bids. While the newsletter has notices posted, do not rely on this information alone.

Sealed bids on the following projects will be received by the MDT-Highways Division, Contract Plans Section, Room 101, 2701 Prospect, Helena, MT until 9:00am on July 24, 2003. Bids proposals, plans, cross-sections, and full instructions to bidders are on file for examination, and may be obtained from the Contract Plans Section 406-444-6216, 6212 or 6215, Fax 406-444-7236 or go to web site <ftp://ftp.mdt.state.mt.us/contract/orderform.pdf> for order form.

1. **Pompeys Pillar Interchange & BNRR-2 km West of Pompeys Pillar, Federal Aid Project No. IM 94-1(64)23 & BR 568-1(13)0**
Interchange: Grading, gravel surfacing, plant mix bituminous surfacing on 0.723 km of the Pompey's Pillar project on Interstate 94 approx. 40 km east of Billings in Yellowstone County. **BNRR-2 km. West of Pompeys Pillar:** 96-meter concrete prestressed beam structure & approaches in Yellowstone Cty. DBE contract goals are 3.0%.
2. **Columbia Heights-East, Federal Aid Project No. NH 1-2(68)138 F** Grading, gravel surfacing, plant mix bituminous surfacing, seal & cover & park & ride lot on 2.91 km located on US 2 beginning at the intersection with Secondary 206 at RP 138.2 and extending northwest to RP 140.0 in Flathead County. DBE contract goals are 4.0%.
3. **19th & Main-Bozeman, Federal Aid Project No. C-STPP 50-2(37)88** Grading, gravel surfacing, plant mix bituminous surfacing, storm drain, sewer line, water main adjustments, intersection improvement and signals on the 19th & Main-Bozeman project in Gallatin County. DBE contract goals are 3.0%.
4. **D3-Non-Interstate Guardrail, Federal Aid Project No. NH 0002(394)** Guardrail and bridge rail on the D3-Non-Interstate Guardrail roadway and roadside safety improvements on 22 locations in the Great Falls District. DBE contract goals are 0.0%
5. **Off System Paving-Butte, Federal Aid Project No. CM 1899(12)** Grading, gravel, plant mix surfacing on 5 streets in Butte-Silver Bow. DBE contract goals are 0.0%
6. **Slide-Southeast of Bainville, State Project No. SFCS 327-1(9)12** Grading, topsoil salvage & place, seeding, & fencing on 0.3 km on the Slide-Southeast of Bainville project on S-327 in Roosevelt County. DBE contract goals are 0.0%.
7. **Big Sky Spur Slide, Federal Aid Project No. STPX 81064(5)** Slide correction, pipe installation on the Big Sky Spur Slide project in Gallatin County. The project is located on MT 64 at Reference Post 7.06 East of Big Sky Resort. DBE contract goals are 0.0%.
8. **Middle Fork Rock Cr.-SW of Philipsburg, Federal Aid Project No. BR 9020(21)** Construction of a new 26-meter single span, bulb-T precast beams bridge & minor approach road work, on a gravel road over the Middle Fork of Rock Creek, approx. 24 km SW of Philipsburg in Granite County. DBE contract goals are 0.0%.
9. **2001-Ashland-West, Federal Aid Project No. STPHS 37-2(26)60** Plant mix bituminous overlay, seal & cover on 2.2 km of the 2001-Ashland-West project on US 212 in Rosebud County, beginning at RP 59.8 & extending east to RP 61.2. DBE contract goals are 0.0%.
10. **10th Ave. So. & 39th St.-Great Falls, Federal Aid Project No. NH 60-2(61)91** Traffic signals, median reconstruction & plant mix surfacing on the 10th Avenue So. and 39th St. project in Cascade County. DBE contract goals are 0.0%.
11. **Division/5th St.-Polson, Federal Aid Project No. CM 24(18)** Grade, gravel & plant mix surfacing in City of Polson beginning at the intersection of Division St. & 2nd St., extending east, & then south on 5th St. to 11th Ave. for a total of 0.60 km on the Division/5th St.-Polson project in Lake County. DBE contract goals are 0.0%.

Other Contracting Opportunities

Silver Butte RAC Project, RFQ-14-03-067, Bid Date: August 15, 2003, R-1 Kootenai National Forest, Libby, MT Work includes removal of existing CMPs, installation of various size new CMPs and CMPAs, construction of armoured drain dips, removal of a creek channel logjam, minor channel work, reconditioning of road and ditch and haul. Judi Foss, Procurement Clerk, Phone 406-283-7640, Fax 406-283-7709, Email r1_kootenai_contracting@fs.fed.us - Jeanne Robertson, Contract Specialist, Phone 406-283-7618, Fax 406-283-7712, Email r1_kootenai_contracting@fs.fed.us <http://www.epa.gov/spg/USDA/FS/03J1/RFQ-14-03-067/listing.html>

ON TRACK WITH MDT by Dave Galt, Director MDT (Condensed from an article in Montana Contractor News, June 2003)

MDT does much more than work on roads when we do highway construction: we also serve as stewards of the land.

The issue of environmental stewardship is ever-changing. The issue of environmental stewardship arises as early as the design phase, when our designers/design consultants work with 1) the Army Corps of Engineers on Clean Water Act Section 404 authorizations for live water sites (i.e. wetlands, creeks and lakes), and 2) Montana Fish, Wildlife and Parks on Stream Protection Act 124 permits dealing with fish habitats, etc.

Our role as stewards continues through design to construction, where MDT and the contractor work with the Montana Department of Environmental Quality and the Environmental Protection Agency (EPA) on Section 402 storm water/discharge permits and any additional 404 or 402 permits needed for temporary structures erected during the project. In addition, Environmental Services works with landowners across the state to mitigate the impacts of highway construction on the state's wetlands.

Sadly, we are making mistakes that are costly, both to MDT and to the environment. Because MDT is in what we call a repeat offender status (we've been fined previously for permit violations), the regulatory agencies are watching us with close scrutiny. And, even when we turn ourselves in, as we did on a construction permit violation, the EPA is not looking kindly upon our actions. Not only did we receive a hefty fine, but the EPA is **still** interviewing individuals whom they believe had knowledge of the permit violation. They are considering filing criminal charges against individual employees. Any permit violation from this point forward is serious business.

Compliance with environmental permitting requirements needs to become a priority for every individual who comes in contact with construction and maintenance projects. We at MDT need to keep up-to-date on permitting regulations, ensure that all requests are properly submitted, train our folks on what we can and can't do in the field – and then follow through on that.

Our designers need to design projects that are easier to permit and obtain those permits in a timely manner. And the contractors need to obtain and abide by all the necessary permits so that a project can be completed without unnecessary fines and mediation.

I know that the permitting process can be complex and time-consuming, but it is a crucial component of our road-building process. My goal is for everyone on a project to view it that way, for placing appropriate emphasis on environmental stewardship is key to our future, and we want to stay "on track" – not just with MDT, but with the needs of this state.

MT Contracting Opportunities-Continued

Libby Asbestos Project-Residential and Commercial Properties Landscaping Services, DTRS57-03-B-60005, Libby, MT, Bid Date?? Michael Attachi, Contract Specialist, (617) 494-2136, attachi@volpe.dot.gov
<http://www.epa.gov/spg/DOT/RSPA/VTSC/DTRS57-03-B-60005/listing.html>

Tribal Technical Assistance Program (TTAP), DTFH61-03-H-00114, Presolicitation, FHWA, RFA release date is July 15, 2003. Provide a Tribal Technical Assistance Center in four regions of the United States. One region is Northwest TTAP Center of Washington, Oregon, Idaho, and Western Montana. The objectives of the program are transfer transportation technology to American Indian tribal governments, improve communication on technical transportation issues among FHWA, BIA, state DOTs, tribal governments, cities, counties, assist in developing and implementing new transportation technologies and administrative procedures at the tribal level; and provide tribal governments with training and technical assistance. Andre Sheppard, Contract Representative, Phone (202)366-6010, Fax (202)366-3705, Email andre.sheppard@fhwa.dot.gov - Sarah Tarpgaard, Contract Specialist, Phone (202)366-5750, Fax (202)366-3705, Email sarah.tarpgaard@fhwa.dot.gov
<http://www.epa.gov/spg/DOT/FHWA/OAM/DTFH61-03-H-00114/listing.html>

Nursery Creek Aquatic Restoration, ESQ030131, Presolicitation, Bid Date: August 14, 2003, BLM MONTANA, The project will include a combination of aquatic habitat restoration treatments in and along Nursery Creek, including road decommissioning and storm proofing as well as in stream and floodplain placement of down wood. The project site is 6.5 miles northeast of Boulder, Montana. The proposed project is 100% set aside for small business concerns. Solicitation will be available on 7/15/03. Awards over \$25,000 will require 100% payment protection in the form of an Irrevocable Letter of Credit, Payment Bond or Certificate of Deposit within 15 days of award notification. Lori Mading Purchasing Agent 4068965196 Lori_Mading@blm.gov; <http://www.epa.gov/spg/DOI/BLM/NBC/ESQ030131/listing.html>

Highway Construction MT PRA-GLAC 10(17)&10(18), Going to the Sun Road Wall Repair, Phase III and Phase IV, DTFH70-03-B-00003, Bid Date: July 29, 2003, Federal Highway Administration (FHWA), Glacier National Park, Flathead County, Montana. Work consists of 1 km of grading, drainage, base, paving, and walls. Western Federal Lands Highway Division, Phone (360)619-7520, Fax (360)619-7932, Email contracts@wfl.hqa.dot.gov <http://www.epa.gov/spg/DOT/FHWA/WFL/DTFH70-03-B-00003/listing.html>

FAUNA Wildlife Information Gathering, R1-03-03, Bid Date: July 28, 2003, USDA Forest Service, The Fauna Module of the USDA Forest Service Natural Resource Information System (NRIS) for Terrestrial Wildlife Management The Contractor shall provide all services, supplies, materials, equipment, and items necessary to (a) gather observation information from notes, on cards, or in other forms, some observations dating from the 1950s, (b) review the gathered observation for validity, (c) enter these observations into a windows based database like ACCESS, (d) ensure that all Fauna Module fields are considered for inclusion, and (e) prepare a summary final report for improvement of the process. This procurement is 100% set aside for small business concerns. Sarah Langston only by email slangston@fs.fed.us or fax (406)329-3682. Leta Wicka, Purchasing Agent, Phone 406-329-3148, Fax 406-329-3536, Email lwicka@fs.fed.us <http://www.epa.gov/spg/USDA/FS/0343/R1-03-03/listing.html>

Surveying Services in the Seattle District, mainly Washington, Oregon, Idaho, and Montana, Presolicitation DACW67-03-R-0016, Bid Date: July 24, 2003, US Army Engineer District, Seattle, Sandy Thomson at Sandra.B.Thomson@usace.army.mil. The U.S. Army Corps of Engineers, Seattle District, has a requirement for Architectural and Engineering Services, procured in accordance with PL 92-582 (Brooks A-E Act) and FAR Part 36, are required for surveying services. Services required include but are not limited to cadastral, boundary, topographic, hydrographic, control, construction and photogrammetric surveys for both civil and military projects. The surveys include the use of the global positioning system (GPS) for ground and airborne applications, when and where appropriate. Services are required for planning, design and construction of roads, utility systems, airfields, buildings, levees, channels, dams, and other related studies, structures and facilities. This project is 100 percent set-aside for small business. Angela Dexter, 206-764-6801, US Army Engineer District, Seattle - Civil at Angela.A.Dexter@nws02.usace.army.mil
<http://www.epa.gov/spg/USA/COE/DACA67/DACW67-03-R-0016/listing.html>

Check: <http://www.discoveringmontana.com/daa/gsd/osbs/AllSolListingNew.asp> for following opportunities.

19th & Main Street Bozeman Public Relations, 306898, MT Dept of Transportation, Bid Date: July 17, 2003,
Demolition/Removal of Property at Victor, MT, 306906, MT Dept of Transportation, Bid Date: July 31, 2003,
Traffic Safety Media Campaign, 306901, MT Dept of Transportation, Bid Date: August 14, 2003,

Williams Clay Pit Reclamation Project, Phillips County, MT, MT Dept of Environmental Quality, Bid Date: July 31, 2003, The work will consist of, but is not necessarily limited to, providing all labor, materials, earthwork, and incidentals necessary to; (1) reclaim portions of a <177>52-acre clay pit where highly erosive and acidic bentonitic-shale was mined. Information regarding the general nature of the project should be requested from Pete Strazdas, Environmental Management Bureau at 406-444-0529 or Dave Murja, Spectrum Engineering at 406-259- 2412. A Pre-Bid Conference will be held for prospective Bidders on July 24, 2003. The conference will convene at 2:00 p.m at the Williams Ranch turnoff located 7 1/2 miles north of D-Y Junction on State Route 66.

Elk's Riverside Park Improvements, Bid Date: July 23, 2003, Work is installation of a 25, 800 sf concrete skate park, pedestrian/bicycle concrete trail improvements, concrete unit paver plaza, site furnishings, restroom addition and repairs to existing building, utility modification, retaining walls, railings, asphalt parking, storm drainage, earthwork, and landscape/irrigation in the City of Great Falls, Thomas Dean & Hoskins, Inc., 1200 25th Street South, Great Falls, MT, PH (406) 761-3010, FX (406) 727-2872 A pre-bid walk through is scheduled for Friday, July 11, 2003 at 9:00 a.m. at the project site.

Engineering Services for the County's Bridge System, Hill County. Patrick D. Conway, Chairman, Hill County Commission, Hill County Courthouse, Havre Montana 59501, (406) 265-5481, extension 227. All responses to the detailed RFP must be received by 5:00 p.m. on Thursday, 24 July, 2003.

Baker Airport Fencing, Baker Municipal Airport Improvements, Bid Date: July 21, 2003, Kdrmas, Lee & Jackson, PC, 701-355-8400.

DBE Supportive Services , Civil Rights Bureau
MT Department of Transportation
PO Box 201001
Helena, MT 59620-1001
800-883-5811
TTY (800) 335-7592

ADDRESS CORRECTION REQUESTED

STATE DOCUMENTS COLLECTION

JUL 17 2003

MONTANA STATE LIBRARY
1515 E. 6th AVE.
HELENA, MONTANA 59620



Jim Wickens, Sletten Construction, and Rebecca Johnson, MDT
DBE Supportive Services, DBE Room, June 25, 2003



Sletten Construction Crew Working on Bridge,
Valier West Project



DBE NEWSLETTER

MONTANA DEPARTMENT OF TRANSPORTATION
Published Monthly by DBE Supportive Services

Volume 3, Issue 8

Promoting the growth of Disadvantaged Business in Montana

August 2003

Upcoming Dates

Bid Letting August 21, 2003 Fairmont Hot Springs near Anaconda, MT. Follow the signs from I-90.

DBE Room is Closed

After one year of working to assist and promote DBEs the night before the bid letting, it has been decided to close the DBE room. The room assisted new contractors and DBEs, but never received full participation by the contracting community and now with future web casts of bid lettings, it was thought that there would be even less contractor attendance. DBE Supportive Services will continue to strive to find ways to successfully assist DBEs.

DBE Participation/Goal Comparison

MDT federally funded projects

DBE Participation is 6.45%

DBE Goal is 7.36%

(Proposed DBE Goal for FY2004 is 7.26%)

MONTANA DBE PROGRAM

Debbie Riemann, Acting DBE Program Manager,
driemann@state.mt.us (406) 444-9229

Alice Flesch, Acting DBE Program Specialist,
aflesch@state.mt.us, 406-444-6337

Rebecca L. Johnson, DBE Supportive Services Manager, rejohnson@state.mt.us (800) 883-5811

Bamby Campbell, DBE Supportive Services Admin. Assistant, bamcampbell@state.mt.us

Vicky Koch, Civil Rights Bureau Chief
vkoch@state.mt.us (406) 444-6335

2701 Prospect Avenue/PO Box 201001, Helena, MT 59620-1001, (406) 444-6331, Fax (406) 444-7685 TTY (800) 335-7592 www.mdt.state.mt.us and click on Civil Rights Bureau



Barb Beck, Beck Consulting, Red Lodge, MT

New On-line DBE Quote Request Form

It is up and running! Contractors can now request quotes from DBEs for any project (MDT or non-MDT).

To use the on-line form, go to:

www.mdt.state.mt.us/civilrights/quotereq.html .

It takes only 1 minute to complete. Requests go directly to Rebecca and will be e-mailed to DBEs promptly.

INSIDE THIS ISSUE

1	DBE Room Closed, DBE Quote Request Form, DBE Goal
2	On-Line DBE Directory, Reimbursement Program, As Read Bid Results
3	Recruiting Guide, Subcontract Guide and Forms, FFY 2004 DBE Goal, Element K Sign-Ups
4	Project Site Visit
5	New Employee, SSA Garnishments, Federal Statutes
6	Electronic MDT, Sole Proprietorship Article, Fraud
7	MDT and MT Contracting Opportunities

Changes to On-Line DBE Directory

MDT is working hard to develop a more efficient and user-friendly on-line DBE Directory. DBE Company work types will be reduced to 16 categories to provide users an easy-to-use directory. Web sites and e-mail addresses will be included. Links to company web sites and company business pages will also be added. It is currently being developed and will be available in approximately three months. Please look over the work-type categories listed below and let Rebecca know if these categories will work for your company. The work-type categories are:

- Professional/Consultant Services: Engineering : Cultural, Historical, Environmental, Wildlife
- Professional/Consultant Services: Architectural
- Professional/Consultant Services: Right-of-Way
- Professional/Consultant Services: Other
- Construction: Grading & Drainage
- Construction: Paving
- Construction: Structures/Buildings
- Construction: Trucking
- Construction: Traffic Control
- Construction: Landscaping
- Construction: Guardrail
- Construction: Fencing
- Construction: Electrical
- Construction: Other
- Supplier
- Manufacturer

DBE Reimbursement Program

Do you need a new computer, printer, Internet service, or new company web site or brochures?

Use your reimbursement funds to help finance these expenses. Half of the year is over. Now is the time to send in your reimbursements requests and paperwork to collect \$600 reimbursement funds for calendar year 2003. Funds can be used to help Montana DBE companies promote your company's growth. Out-of-state DBE firms are on a case-by-case basis. Talk to Rebecca and use these funds today.

The reimbursement program description and form are on the web at:

www.mdt.state.mt.us/civilrights/dbess.html.

Free "Hire with Your Head" Recruiting Guide

Companies in Kalispell, Butte, Miles City, Polson, Anaconda, and Missoula can get a free copy of this guide just by asking your local Job Service. Montana Job Service's web site is: <http://jsd.dli.state.mt.us/>

As Read MDT July 24, 2003 Bid Letting Results

Project Title and #	Prime Bidder	Low Bid Amt.	DBE Participation Dollars / %
NH 1-2(68)138F Columbia Heights - East	Schellinger Construction Co., Inc.	\$2,966,207	\$ 214,219 7.23%
CM-STPP 50-2(37)88 19 th & Main - Bozeman	JTL Group, Inc. - Belgrade	\$2,108,635	\$ 380,424 6.26%
NH 0002(394) D3 - Non-Interstate Guardrail	Omo Construction, Inc.	\$1,342,264	\$ 536,906 40.00%
CM 1899(12) Off System Paving - Butte	Hollow Contracting	\$ 512,549	
STPX 81064(5) Big Sky Spur Slide	Sierra Rock & Dirt, Inc.	\$ 239,527	
BR 9020(21) Middle Fork Rock Cr. - SW of Phillipsburg	Frontier-West, L.L.C.	\$ 213,026	
STPHS 37-2(26)60 2001 - Ashland - West	Century Companies, Inc.	\$ 377,432	\$ 19,500 5.17%
NH 60-2(61)91 10th Ave. So. & 39th St. - Great Falls	Montana Lines, Inc.	\$ 142,559	\$ 71,509 50.16%
CM 24(18) Division/5th St. - Polson	Smith Paving & Contracting Enterprises Inc.	\$ 236,962	\$ 189,570 80.00%

MT Department of Transportation (MDT) Disadvantaged Business Enterprise (DBE) Goal

MDT has submitted to the Montana Division of the Federal Highway Administration (FHWA) a DBE goal of 7.26% for Federal Fiscal Year 2004. MDT expects to meet the DBE goal by achieving 4.76% via race-neutral means and 2.5% via race-conscious means. Documents in support of this application are available for public examination at the MDT Headquarters Building, 2701 Prospect Avenue, Helena, MT 59620, during regular business hours in the office of the Civil Rights Bureau until September 11, 2003. You may also request a copy of the document sent to FHWA describing DBE Goal Methodology and Achievement directly from Rebecca Johnson. Comments may be sent to the Civil Rights Bureau, MDT, 2701 Prospect Avenue, PO Box 201001, Helena, MT 59620-1001.

SPECIAL NOTICE TO SOLE PROPRIETORSHIPS RENEWING AN ASSUMED BUSINESS NAME

Bob Brown, Montana Secretary of State

As a married couple who filed as a sole proprietor when you registered your assumed business name, you need to change your registration from "sole proprietor" to either a "partnership" or "association", or you need to eliminate one of the names listed as sole proprietor. This change is being implemented based on a close examination of Montana Code Annotated, 35-10-102 5 (a) and 35-10-202, reconsideration of past practice, and consultation with our Business Services Advisory Council. We concluded that a sole proprietor is only one person. A married couple conducting a business meets the definition of a partnership. According to 35-10-202 (2), MCA "the association of two or more persons to carry on as co-owners a business for profit creates a partnership, whether or not the persons intend to create a partnership.

To change your registration to a partnership or association or eliminate one of the names of a married couple, complete the Application for Amendment to Registration of an Assumed Business Name form obtained from the Secretary of State's Office, 406-444-3665 or www.sos.state.mt.us. There is no fee for filing the changes to your registration under this new policy. However, there is a fee for filing a renewal form if that is necessary. To renew, also please obtain and fill out an Assumed Business Name Renewal form and send both signed forms with the \$20.00 fee to the Montana Secretary of State's Office, P.O. Box 202801, Helena, MT 59620-2801.

This is a small portion of what the Honorable Ken Mead, Inspector General, US Dept of Transportation, stated before the Committee on the Budget, U. S. House of Representatives on July 9, 2003. The portion below came from the speech entitled "Opportunity to Control Cost and Improve the Effectiveness of Department of Transportation Programs".

"Detecting and Preventing Fraud"

During the last 4½ years highway and transit-related fraud indictments have tripled, convictions have doubled, and monetary recoveries totaled more than \$80 million. We currently have over 100 ongoing investigations of infrastructure projects or contracts. Fraud schemes that we are commonly seeing today include bid-rigging and collusion among contractors; false claims for work or materials not provided on the project; product substitution by contractors or vendors who provide substandard or inferior materials; and bribery of inspectors to look the other way on their duty to ensure quality of work or materials; failure by contractors to pay workers required prevailing wages; and fraud against the Disadvantaged Business Enterprise (DBE) Program for minority and women contractors who are used as false-front companies. DBE fraud is an area with serious enforcement and compliance problems that requires more attention and appears to be nationwide in scope. In an effort to protect the Government's interest against fraud on transportation projects we recommended the Department adopt language in its highway reauthorization proposal to make debarment mandatory and final when a contractor is convicted of a fraud. In addition, since state programs are the ones damaged by fraud, allowing states to share in any recoveries would help them restore their programs and provide support for further fraud deterrence and detection efforts. "

The entire speech can be seen at the following web site:
http://www.oig.dot.gov/show_pdf.php?id=1123



All MDT Self-Issued Overweight Permits Cancelled

Effective July 31, 2003, MDT Motor Carrier Services is canceling all letters of agreement pertaining to self-issued overweight permits. There are two options for obtaining new permits. Call Rebecca today and get the memorandum with new instructions.

A Visit to a MDT Highway Construction Project Site *by Rebecca Johnson*

Project: Valier West STPP 44-1(11)0, Prime Contractor: Wickens Construction, Inc.,

MDT Project Manager: Mike Klette

I had the unique opportunity to work at an MDT highway construction project site the week of July 28th in the city of Valier, Northwest of Great Falls on Highway 44. I met many construction workers from United Rentals (traffic control) and Prince Inc. (paving) as well many MDT staff; Mike Klette, Kevin Theilmann, Nick Manley, Neil Fisher, Gale, and Tracy Grubb. Everyone was very kind to take time out of their busy schedule to tell a greenhorn about their work. It was a wonderful learning experience for someone who works behind a computer and desk back at MDT headquarters office.

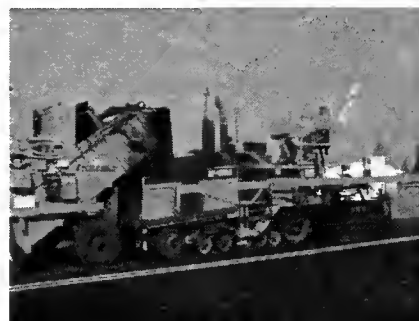
Do you know what a screedman does? It is the person on the back of the paver who checks the depth of the asphalt on the road and adjusts the paver to ensure an even application of asphalt on the road. I worked in the job title of deadman, it is not as scary as it sounds. The deadman is on the survey crew – he/she holds the end of the tape measure on the traffic roadway to measure distances in order to mark approaches. I spent most of my time at Prince's hot plant, where they mix aggregate (commonly referred to as gravel by common folk), oil and lime at very hot temperatures to make asphalt. I took measurement readings from the plant control panel for aggregate, oil, and lime for quality control checks. The plant is an extremely busy place – belly dump trucks are loaded every 2-3 minutes with approximately 25 tons of asphalt. Did you know the asphalt oil can get as hot as 317degrees Fahrenheit? In one day the plant produced approximately 2,800 metric tons of asphalt. Did you know that pavement crackles and pops after the rollers go over the hot pavement? The workers come in at 6:00am and leave as late as 8:00pm. You just don't realize the intensity of working on these projects until you experience it – Everyone on a project site (cars driving thru as well as workers) must take extra caution when in the work zone because it is so loud, busy, and dangerous for people. It was a wonderful experience to see first hand a project under construction and learn how a road is built. I greatly admire everyone who works on these road projects – they endure long hours, hard work, hot temperatures, and the wind and dust to get roads built for the traveling public. Thank you. Next time I am driving on the road, I will remember all the hard work that goes into building that road and appreciate it a little more. Rebecca Johnson.



Valier Road Construction Project



Mike Sharp, Project Foreman, Prince



Prince Paver



Tracy Grubb, MDT, with Prince Screedman



Prince Roller on Hot Pavement



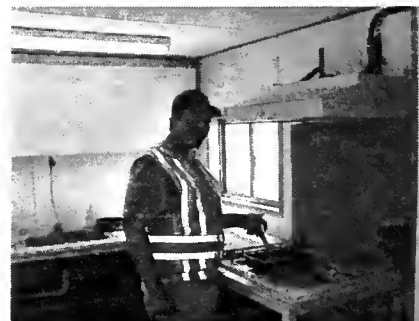
Prince Hot Plant Site



Gale with MDT taking gravel test sample



Neil Fisher, MDT, near hot oil tank



Nick Manley, MDT, drying gravel sample

August Business Calendar

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11 > Self-Discipline & Emotional Control Missoula	12 > August Safety Workshop Kalispell > Coaching, Mentoring & Team-Building Skills (Aug. 12-13) Bozeman > Self-Discipline & Emotional Control Helena	13 > August Safety Workshop Gt. Falls > Self-Discipline & Emotional Control Bozeman	14 > August Safety Workshop Missoula > Bootstrap Marketing Hamilton > Coaching, Mentoring & Team-Building Skills (Aug 14-15) Billings > Evaluating a Business Idea Hamilton > Managing by Numbers Hamilton > Self-Discipline & Emotional Control Great Falls	15 >8hr HAZWOPER Refresher Billings > Employment & Labor Laws in MT Billings	16
17	18 > Grammar & Proofreading Workshop Kalispell > Hand-On Web Site Development Billings (Aug. 18-19)	19 > August Safety Workshop Butte > Bootstrap Marketing Msla > Evaluating a Business Idea Missoula > Grammar & Proofreading Workshop Missoula	20 > Grammar & Proofreading Workshop Helena	21 > August Safety Workshop Helena > Grammar & Proofreading Workshop Bozeman	22 > Grammar & Proofreading Workshop Great Falls	23
24 >>>>	25 >2-Day Workshop for Personnel/HR Assistants Billings (Aug 24-25) > CPR/First Aid Billings	26 > Forklift Instructor Course Billings	27 > Financial Statement Analysis, Understanding & Interpreting Financial Results Billings	28	29 >Administrative Assistants Conference Billings	30
31	Sept. 1	Sept. 2 >Basic Supervision Billings	Sept. 3 >Assertiveness Skills for Mgrs. & Supervrs. Billings >14 th Annual Equipment Operator Training (Sept. 3-4) Gt. Falls	Sept. 4 >Basic Supervision Bozeman	Sept. 5 >Assertiveness Skills for Mgrs. Bozeman	

2003

14th Annual Equipment Operator Training, Sept. 3-4 Billings, \$90. Local Technical Assistance Program (LTAP), 800-541-6671, 406-994-6100 or fax 406-994-1697.

2-Day Workshop for Personnel/HR Assistants, Aug 24-25 Billings, \$399. CompuMaster 800-873-7545.

8 Hour HAZWOPER Refresher, Aug 15 Billings, \$150. Montana Safety Services Council, 406-248-4893 or acarrillo@associatedemployers.org.

Administrative Assistants Conference, Aug 29 Billings, \$199. SkillPath Seminars, 800-873-7545.

Assertiveness Skills for Managers and Supervisors, Sept 3 Billings, Sept 5 Bozeman, \$179. Keye Productivity Center, www.keyetrain.com or 800-258-7246.

August Safety Workshops, Aug 12 Kalispell, Aug 13 Great Falls, Aug 14 Missoula, Aug 19 Butte, Aug 21 Helena, no cost. MT State Fund, 800-332-6102, Rita Naylor.

Basic Supervision, Sept 2 Billings, Sept 4 Bozeman, \$179. Keye Productivity Center, www.keyetrain.com or 800-258-7246.

Bootstrap Marketing, Aug 14 Hamilton, Aug 19 Missoula, \$10. Small Business Administration, Steve Grover, 406-728-9234 or sbdc@mtdc.org.

Coaching, Mentoring & Team-Building Skills, Aug 12-13 Bozeman, Aug 14-15 Billings, \$395. National Seminar Group, www.natsem.com or 800-258-7246.

CPR/First Aid, Aug 25 Billings, \$60. Montana Safety Services Council, 406-248-4893 or acarrillo@associatedemployers.org.

Employment & Labor Law in Montana, Aug 15 Billings, \$249. Lorman Educational Services, 888-678-5565 or customerservice@lorman.com.

Evaluating a Business Idea, Aug 14 Hamilton, Aug 19 Missoula, \$10. Small Business Administration, Steve Grover sbdc@mtdc.org or 406-728-9234.

Financial Statement Analysis, Understanding & Interpreting Financial Results, Aug 27 Billings, \$289. Lorman Educational Services, onsite@lorman.com.

Forklift Instructor Course (Train the Tainer), Aug 26 Billings, \$100. Montana Safety Services Council, 406-248-4893 or acarrillo@associatedemployers.org.

Grammar & Proofreading Workshop, Aug 18 Kalispell, Aug 19 Missoula, Aug 20 Helena, Aug 21 Bozeman, Aug 22 Great Falls, \$99. CareerTrack 800-556-3009 or Fax: 913-967-8847.

Hands-On Web Site Development, Aug 18-19 Billings, \$1195. CompuMaster, 800-867-4340.

Managing by Numbers, Aug 14 Hamilton, cost?. SBA, Steve Grover, 406-728-9234 or sbdc@mtdc.org.

Self-Discipline & Emotional Control, Aug 11 Missoula, Aug 12 Helena, Aug 13 Bozeman, Aug 14 Great Falls, \$129. CareerTrack, 800-944-8503 or www.careertrack.com

New Employees: Should you have a probationary period?

From Montana Employment Law Letter, June 2001

In Montana, it's a good idea to have a probationary period for new employees. Because you have additional protection from wrongful discharge suits, you do have the opportunity to observe an employee's performance and weed out those who cannot do the job. But it won't work if you don't use it properly. You should monitor the employee's work during the probationary period, provide feedback, and meet with the employee before the probationary period ends, if you intend to terminate employment.

We know that in some other states a probationary period is considered a bad idea. In those jurisdictions, courts have said that an employee who completes his or her probationary period has an expectation of continued employment. That is not true in Montana. The law already gives employees an expectation of continued employment by telling you when you may discharge them.

Do you have to have a six-month probationary period? No. The law simply says that if your policies are silent on the subject, a six-month probationary period will be presumed. You can have a longer or shorter period as long as you can make some reasonable connection between the length of the probationary period and the position held. If a job is difficult to learn, you might have a longer time. If the job is simple, you may not need six months. You should, however, give it some thought and analysis.

Protections for both probationary and regular employees. You may not take action against an employee who has brought a workers' compensation claim or who has had wages garnished. You may not discriminate against a person who uses a lawful product such as tobacco or alcohol in his or her non-working hours. Under federal law, you may not punish an employee for exercising his or her rights to organize to discuss and bargain over working conditions. You cannot fire someone who has reported a violation of Occupational Safety and Health Administration or Mine Safety and Health Administration rules. In short, where the law gives employees a right, you cannot discriminate against them for exercising that right—even if they are still on probation.

New SSA garnishment coming

Here's when a withholding order would be issued

You may soon see a new type of garnishment crossing your desk. The Social Security Administration just announced a new proposal that would allow it to recover benefit overpayments through administrative wage garnishments (AWG). That means SSA could order you to withhold and pay the agency up to 15% of the employee's disposable income until the debt is repaid.

What to expect

If you do get one of these AWGs, here's what you'll probably see on it: the employee's name and Social Security number; amount of the debt; info about the amount you must withhold; and where to send the withheld amount. Within 20 days of receiving the order, you'll have to certify the person's employment status and amount of disposable pay available for withholding.

Generally, that amount would be the lesser of:

- The amount indicated on the order (up to 15% of disposable pay), or
- The amount disposable pay exceeds 30 times the minimum wage.

Then start withholding the first payday after receiving the AWG if you receive the order more than 10 days beforehand. If you get less than 10 days notice, it's OK to begin withholding on the second payday. (You wouldn't have to alter normal pay cycles to comply.)

Note that you wouldn't be able to honor any assignment of pay the employee makes if it would interfere with or prevent withholding under the AWG. The only exception: a family support judgment or order. As with other garnishments, you'd continue withholding every payday until the debt, and any applicable interest, penalties and administrative costs, are paid off.

When it's likely you'd get an order

SSA says it would only fall back on an AWG if the employee:

- Isn't currently receiving benefits from the program under which the overpayment occurred
- Already received the overpayment, a reminder and past-due notices
- Hasn't made installment repayment arrangements with SSA or didn't stick to, for two consecutive months, an agreement already in place, and
- Hasn't requested a waiver of the overpayment, or if he or she did request a waiver, SSA rejected.

From: Federal Register, 11/15/02, p. 61964

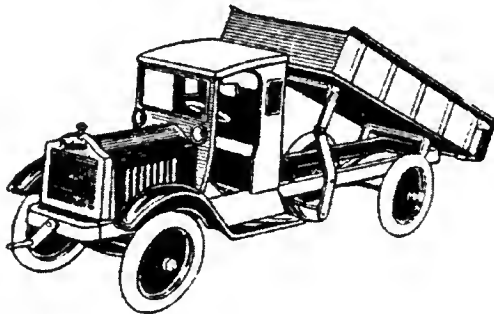
The Major Federal Statutes That Affect Every Employer

- The Family and Medical Leave Act
- The Fair Labor Standards Act
- The National Labor Relations Act
- The Occupational Safety and Health Act
- Title VII of the Civil Rights Act of 1964
- The Civil Rights Act of 1991
- The Equal Pay Act of 1963
- The Age Discrimination in Employment Act
- The Pregnancy Discrimination Act
- The Americans with Disabilities Act

Confused over Subcontracts

Every wonder what a good subcontract looks like? Here are some free tools to help you know.

Get a good start with the standard form of agreement (AIA A401-1997) between contractor and subcontractor that the American Institute of Architects has developed. This form is available to DBE companies free. Just call Rebecca today and a form will be ordered and sent directly to you. Also available is the CD-version of the Subcontractors' Guide to the AIA A201 and AIA A401 Construction Contract Documents developed by the American Subcontractors Association. The guide is a practical approach that concentrates on sections of the documents that are of particular interest to subcontractors. Call Rebecca to check out this CD from the DBE Lending Library.



Electronic MDT

The last bid letting on July 24th was a test for future web casts. MDT will sponsor a pilot test of the September bid letting using web cast technology. A few contractors will be able to view the bid letting via their computer and the Internet. Shortly thereafter, all contractors will have the option to watch the bid lettings via the Internet.

Also, watch for more MDT-sponsored meetings to be web cast-- with MDT personnel and contractors/consultants from other office locations at the meetings via web cast. Watch for more information on this new technology. Currently, MDT headquarters, Butte and Missoula district offices have the new technology. All district and area offices should have the technology by the end of the year. Remember, MDT attempts to provide reasonable accommodations for any known disability that may interfere with a person participating in any service, program or activity of the Department. Alternative accessible formats will be provided upon request.

Be Aware....

The following article is from "*Safety Reminder*" July-August 2003 Page 11.

"If you go to Google and type in your home telephone number, it will pull up directions to your home. Any person wishing to discover the physical location of a phone number, be it a home or business address, could use this feature to locate a physical street address and receive directions on how to get there from anywhere in the country.

"Go to www.google.com, then type in your phone number (separated by hyphens, including area code) and click on Google Search. If your phone number is listed, it will show your name and address and give you two map options: Yahoo and MapQuest.

-- but the good news is, there is a way to have your number removed. Google has made available an option that will allow any one to REMOVE their telephone number from the database that is linked to the mapping feature. If the number appears in the mapping database, an icon resembling a telephone will appear next to the first or second entry on the results page. Clicking on this icon will take you to a page containing a description of the service, and a link to request your number be removed from the database. So far, unlisted numbers and cell phone numbers do not show up." If this is a concern, you might want to check other web search engines.

Element K (Train via Computer)

Sign up for classes now – what a great benefit for your employees. They can access these classes anytime on their computer and work at their speed. Great prices of from \$40-\$100 for hundreds of classes. Invest in your employees now – get them signed up for classes. Sign up deadline is September 1st. Check out classes at ElementK web site: www.elementk.com . Call Rebecca for more details. You must use reimbursement funds for this expense.

Quote of the Month

Yesterday is not ours to recover, but
tomorrow is ours to win or lose.

Lyndon B. Johnson

MDT Highway Construction Projects Invitation for Bids, Letting of August 21, 2003

For the most complete and timely bid information, go to the web site <http://mdt.state.mt.us/contract/contract.htm> and click on Invitation for Bids. While the newsletter has notices posted, do not rely on this information alone.

Sealed bids on the following projects will be received by the MDT-Highways Division, Contract Plans Section, Room 101, 2701 Prospect, Helena, MT until 12:00 noon on August 20, 2003. Bids received in Helena by 12:00 noon will be taken to Anaconda, Montana. Sealed bids may also be hand delivered for acceptance to the Montana Department of Transportation's desk at **Fairmont Hot Springs Resort, Mt. Haggin Room, Anaconda, Montana**, from 8:00 a.m. to 9:00 a.m. on **August 21, 2003**, the bids being publicly opened and read thereafter at 10:00 a.m. Bids proposals, plans, cross-sections, and full instructions to bidders are on file for examination, and may be obtained from the Contract Plans Section 406-444-6216, 6212 or 6215, Fax 406-444-7236 or go to web site <ftp://ftp.mdt.state.mt.us/contract/orderform.pdf> for order form.

1. **Jefferson City – Helena, Federal Aid Project No. IM 15-3(58)176** Plant mix bituminous surfacing overlay, seal and cover, and bridge repair on 23.3 km of the Jefferson City-Helena road on Interstate 15 in Jefferson County. DBE contract goals are 2.0%.
2. **Big Muddy Creek - SE of Redstone, Federal Aid Project No. BR 9046(10)** Construction of a 41m prestressed concrete beam structure & approaches with gravel surfacing on the Big Muddy Creek-SE of Redstone project in Sheridan County. DBE contract goals are 0.0%.
3. **D5 - Non-Interstate Guardrail, Federal Aid Project No. NH 0002(593)** Guardrail and Bridge Rail on the D5-Non-Interstate Guardrail project in Carbon, Yellowstone, Judith Basin, Fergus, Petroleum and Musselshell Counties. DBE contract goals are 0.0%.
4. **Sidewalks - Kalispell, Federal Aid Project No. CM 6799(24)** Construction of sidewalks on the Sidewalk-Kalispell project located in Flathead County. DBE contract goals are 0.0%
5. **Slide Repair – Beartooth Pass, Federal Aid Project No. MT (008)** Digouts, gravel, PCCP and plant mix bituminous surfacing on .4 km of the Beartooth Pass Road on Primary 28 in Carbon County. DBE contract goals are 0.0%
6. **Cedar St. Modification – Helena, Project No. AR 23226(1)** Remove and replace guardrail, relocate and install electrical apparatus, cold mill and excavate. Place subbase, base and plant mix bituminous surfacing, curb, seal & cover on the Cedar St. Modification – Helena project at the intersection of Cedar St. and Interstate 15 ramps in Lewis & Clark County. DBE contract goals are 0.0%
7. **Yellowstone River – SE of Sidney, Federal Aid Project No. STPP 26-1(13)1** The project consists of removing three existing reinforced concrete bridge piers from a previous bridge. The project is located on the Yellowstone River-SE of Sidney, Section 9, Township 22N, Range 59E in Richland County. DBE contract goals are 0.0%.

MT Contracting Opportunities

Technical Assistance and Sanitary Surveys for Montana Tribal Water Systems, Presolicitation Notice, RFQ-CO-03-00022, EPA, Bid Response Date: August 20, 2003, Maureen Martin, Purchasing Agent, Phone (303) 312-7089 martin.maureen@epa.gov <http://www.epa.gov/spg/EPA/OAM/8TMS-G/RFQ-CO-03-00022/listing.html>

Tom Tom Pipeline in Montana, Valley County, ESQ030133, BLM Montana, Bid Date: Sept 2, 2003, Construct a stock water development – upgrade existing well, install a pump control system, install reservoir and install pipeline. Lori Mading Purchasing Agent 4068965196 Lori_Mading@blm.gov; <http://www.epa.gov/spg/DOI/BLM/NBC/ESQ030133/listing.html>

Two Crow Fences in Montana, Petroleum County, ESQ030132, BLM Montana, Bid Date: Sept 2, 2003, construct a four-wire fence 19.95 miles. Lori Mading Purchasing Agent 4068965196 Lori_Mading@blm.gov <http://www.epa.gov/spg/DOI/BLM/NBC/ESQ030132/listing.html>

306919, Waterborne Traffic Line Paint, Bid Date: Sept 5, 2003, MDT, <http://www.discoveringmontana.com/dao/gsd/osbs/AllSolListingNew.asp>

RFP04-676B Disaster Recovery and Business Continuity Services, Bid Date: Sept 5, 2003, General Services Division, Work includes disaster recovery, warm site, equipment drop shipment, capabilities, consulting, training, and web hosting. <http://www.discoveringmontana.com/dao/gsd/osbs/AllSolListingNew.asp>

Pverty Creek/Black Butte/Othorp Lake Fuel Reduction, RFQ-14-03-085, Bid Date: Sept 11, 2003, Tree thinning, tree removal, yarding and slashing. Jenny Votapka, Purchasing Agent, Phone 406-283-7684, Fax 406-283-7709, Email r1_kootenai_contracting@fs.fed.us <http://www.epa.gov/spg/USDA/FS/03J1/RFQ-14-03-085/listing.html>

Department of Agriculture, Forest Service, R-1 Kootenai National Forest, 1101 U.S. Highway 2 West, Libby, MT, 59923, Jenny Votapka, Purchasing Agent, Phone 406-283-7684, Fax 406-283-7709, r1_kootenai_contracting@fs.fed.us <http://www.epa.gov/spg/USDA/FS/03J1/R1-14-03-084/listing.html>

Buck Creek Trail, RFQ_R1-16-03-715Q, Bid Date: Sept 2, 2003, Bitterroot National Forest, Ravalli County, trail reconstruction, Judy Martin, Procurement Technician, Phone 406-329-3992, Fax 406-329-3876, Email jbmartin@fs.fed.us <http://www.epa.gov/spg/USDA/FS/03R6/RFQ%5FR1-16-03-715Q/listing.html>

Eagle Falls Parking Lot – O.F. 1355, City of Great Falls, Bid Date: Aug 20, 2003, 13,500 square yard asphaltic parking area with concrete curb and gutter, storm drain pipe. Neil Consultants, Inc. 406-453-5478.

Blackfoot Clearwater WMA Boundary Fencing near Seeley Lake, FWP 7015317, Montana Fish, Wildlife and Parks, Bid Date: Aug 20, 2003, 406-841-4000.

DBE Supportive Services , Civil Rights Bureau
MT Department of Transportation
PO Box 201001
Helena, MT 59620-1001
800-883-5811
TTY (800) 335-7592

ADDRESS CORRECTION REQUESTED

STATE DOCUMENTS COLLECTION

AUG 11 2003

MONTANA STATE LIBRARY
1515 E. 6th AVE.
HELENA MONTANA 59620



Sandy Tilzey, Empire Lath & Plaster, Inc., Billings, MT



Bernard Pease, Bernard Pease Masonry, Inc, Billings, MT

Upcoming Dates

Bid Letting September 25, 2003

October 15th Deadline Annual Eligibility Update

All MDT DBEs must get their annual eligibility application to the DBE office by October 15th.

Call Alice Flesch, 406-444-6337 or Debbie Riemann, 406-444-9299, if you have any questions about completing this paperwork.

Do it today - Don't risk losing your DBE certification. Annual Eligibility Application must be submitted no later than October 15th.

DBE Participation/Goal Comparison

MDT federally funded projects

DBE Participation is 7.22%

DBE Goal is 7.36%

(Proposed DBE Goal for FY2004 is 7.26%)

MONTANA DBE PROGRAM

Debbie Riemann, Acting DBE Program Manager,
driemann@state.mt.us (406) 444-9229

Alice Flesch, Acting DBE Program Specialist,
aflesch@state.mt.us, 406-444-6337

Rebecca L. Johnson, DBE Supportive Services
Manager, rejohnson@state.mt.us (800) 883-5811

Bamby Campbell, DBE Supportive Services
Admin. Assistant, bamcampbell@state.mt.us

Vicky Koch, Civil Rights Bureau Chief
vkoch@state.mt.us (406) 444-6335

2701 Prospect Avenue/PO Box 201001, Helena, MT
59620-1001, (406) 444-6331, Fax (406) 444-7685 TTY
(800) 335-7592 www.mdt.state.mt.us and click on Civil
Rights Bureau

LOGO CONTEST

Deadline is November 30th. Prize is \$250.00. MDT DBE Supportive Services would like to have a logo for the DBE companies to use in marketing their businesses. Anyone is encouraged to enter a logo design. See details on Page 5.



Lynelle Peterson, Ethnoscience, Billings, MT



Recent Retirements at MDT

Pat Saindon, Administrator for MDT Transportation Planning has retired.

Tom Martin with CTEP retired September 5th.

Best of Luck

INSIDE THIS ISSUE

1	Dates, Annual Eligibility Update, Logo Contest, Retirements, DBE Goal
2	DBE Monthly Update, Special Fuel Use License & Tax, PTAC Services, As Read Bid Results
3	2-Stepping—Diverse Workplace, School Safety Tips, MDT Subcontract Work Troubles
4	Risk of a Software Fine, 7 Deadly Sins of Hiring
5	Marketing a Small Business, Logo Contest Flyer, MDT Owned Wetland, Safety Video Available,
6	Beyond TEA-21, SAFETEA of 2003, Sub-Contractor Check List, Quote
7	MDT and MT Contracting Opportunities

Use of Special Fuel – License, Tax, and Reporting Requirements *Information from Bob Turner, MDT Fuel Tax Management*

Contractors are required to pay tax for special fuel used on MDT and any other public works projects. Diesel fuel is considered special fuel. Dyed diesel fuel cannot be used on MDT projects. Contractors may bring a vehicle onto projects with dyed fuel in the tank only after notifying Lori Balcerzak at 406-444-7271. This will allow the use of the vehicle on the project until the tank is empty. After emptied, it must be refilled with un-dyed diesel fuel. Contractors may be able to use dyed diesel fuel on other projects sponsored by cities, counties, private, etc. However, MCA 15-70-321 (1b) states all diesel fuel, dyed or clear, used on any public works projects awarded by any public agencies is taxable. If dyed fuel is used on these projects, the contractor must be licensed as a Special Fuel Use Contractor (SFUC), report and pay the tax quarterly to MDT.

Recently, some MDT special fuel use audits have resulted in assessed tax against the prime SFUC for unpaid tax on special fuel usage by subcontractors. In these cases, the prime SFUC may pass this tax to the subcontractor for payment depending on the agreement in their contract. The prime SFUC is the only entity that can appeal the tax assessment, which must be done within 30-calendar days. If appealed, they will need the subcontractor fuel usage logs and paid fuel tax receipts. Therefore, prime SFUC should express the need to keep detailed records to their subcontractors if the subs are not licensed SFUC themselves.

In light of these new findings, MDT is now requiring subcontractors (all primes should currently be licensed) on all MDT public road projects to obtain an SFUC license. Regardless of this licensing requirement, prime SFUC are responsible for ensuring all fuel tax is paid on the project (this includes all subcontractor fuel usage regardless of subcontract amount). Prime contractors may require subcontractors to submit fuel usage records with paid motor fuel receipts or a copy of the subcontractor quarterly SFUC tax report to verify that the motor fuel tax was paid. The old exemption allowing a subcontractor, whose subcontract is under \$100,000, to forgo obtaining a SFUC license is no longer valid.

To obtain a SFUC license, contact Motor Carrier Services Division at 406-444-6130. There is no initial application fee. However, you will need to post a \$5,000 bond with the application. When licensed, you will be required to submit quarterly reporting forms to show fuel usage and make payments to MDT.

MDT is looking at the issue of SFUC licensing in more detail and will provide information as issues develop.

Remember: The old exemption allowing subcontractor, whose subcontract is under \$100,000, to forgo obtaining a SFUC license is no longer valid.

Montana DBE Company Monthly Update

Recent Graduate of DBE Program:

Herrera Environmental Consultants, Inc., Carlos E. Herrera, Missoula, MT

De-Certification:

Fischer & Associates, Sandy Fischer, Billings, MT

PTAC in Great Falls offers:

Bid Search. Sign up for free and confidential bid search services using the PT Assist system. Type in a few key words describing your company's work and get either an e-mail or go to their web site to access government contracting opportunities (federal and state government databases) that match your company's needs. Call Karl Dehn or Patti McFadden at 406-454-1934 or e-mail Karl at karl@gfdevelopment.org or Patti at pmcfadden@gfdevelopment.org

They will also help you register on the CCR so you can bid on federal contracts and get paid when you work on a federal project. They will also help you register on Pro-Net – the national database where agencies and major prime contractors look for companies. It is a free advertising service. PTAC services are free and confidential. Call Today!

As Read MDT August 21, 2003 Bid Letting Results

Project Title and #	Prime Bidder	Low Bid Amt.	DBE Participation Dollars / %
IM 15-3(58)176 Jefferson City - Helena	Riverside Contracting, Inc.	\$7,529,803	\$452,452 6.011
BR 9046(10) Big Muddy Creek - SE of Redstone	Sletten Construction Co.	\$612,920	
NH 0002(593) D-5-Non-Interstate Guardrail	H L Construction	\$508,267	
CM 6799(24) Sidewalks - Kalispell	United Rentals Hwy Tech Inc.	\$614,104	
MT (008) Slide Repair - Beartooth Pass	Cop Construction, L.L.C.	\$496,721	
AR 23226(1) Cedar St. Modification - Helena	H L Construction	\$94,944	
STPP 26-1(13)1 Yellowstone R. - S.E. of Sidney	Sletten Construction Co.	\$207,615	

TWO STEPPING IN A DIVERSE WORKPLACE (Part 1 of 5)

As a supervisor you are used to dancing around many legal issues. Your workforce is likely made up of people from all sorts of cultural backgrounds. Cultural Diversity in the workplace presents a challenge to manage your workforce fairly and productively, without violating discrimination or harassment laws.

Your first dance-move – defining diversity

We hear a lot of talk about diversity, but what does it really mean? It means appreciating people for their differences, rather than excluding them because they don't look or act like the majority. Your employees don't have to become best buddies, but they need to treat each other with respect.

From a legal standpoint, diversity means preventing harassment or discrimination based on an employee's *protected class*, which means their gender, pregnancy, race, color, national origin, religion, age, disability or veteran status.



Jane Huff, Administrative Assistance, MDT Organizational Development, and Russ McDonald, Administrator, MDT Human Resources

This article was adapted with permission from M. Lee Smith Publishers where it appeared in Fronline – a monthly employment Law Update For Supervisors



MDT Subcontract Work Troubles??

If you have had any subcontract work on MDT projects drastically decreased or eliminated which has had a significant impact on your business over the last two years please contact Rebecca. Thank you.

School is back in session Remember these driving tips to keep our children safe

Tips for Motorists

*Slow down and obey all traffic laws and speed limits.

*Always stop for a school bus that has stopped to load or unload passengers. Red flashing lights and an extended stop arm tell you the school bus is stopped to load or unload children. It's the law. (See MCA 61-8-351).

*Be alert and ready to stop. Watch for children walking in the street, especially where there are no sidewalks. Watch for children playing and gathering near bus stops. Watch for children arriving late for the bus who may dart into the street without looking for traffic.



When backing out of a driveway or leaving a garage, watch for children walking or biking to school.

*When driving in neighborhoods or school zones, watch for young people who may be in a hurry to get to school and may not be thinking about getting there safely.



Shan-Tai Yeh, Yeh and Associates, Inc., Englewood, CO

Could your company be at risk for a software fine?? (Summary of Billings Gazette article of August 8, 2003)

In August, a Livingston printing company paid \$40,000 to the Business Software Alliance, a watchdog group representing the nation's leading software manufacturers. A self-audit revealed more copies of Adobe and Microsoft software program on the printing company's computers than it had licenses to support.

Many businesses, even without knowing it, face potential disaster because of software piracy, the installation or use of unauthorized copies of software. Software piracy is illegal and can have very costly consequences to your business. Illegal software is more likely to fail, rendering your computers and their information useless. You can expect no warranties or support for illegal software, leaving your company on its own to deal with such a failure. Illegal software is also one of the prime sources of computer viruses that can destroy valuable data throughout a company. Software piracy can lead to stiff fines and criminal prosecutions. Piracy can be as simple as two employees installing the same program on their computers when the license agreement permits only one. It can be as widespread as the deliberate, systematic copying of programs throughout an organization, or the purchase of computers with "pre-loaded" software that was never authorized by the software's creators. Sometimes called "warez," pirated software on the Internet is often transmitted via bulletin boards, e-mail, news groups, site links and, most notably, Internet auction sites, which defraud bidders by claiming that illegal software is a genuine product obtained at a deep discount. If your business has obtained software from these sources, or has purchased software that did not come with a license for its use, proper documentation, or other obvious signs that it is genuine, you may well be using pirated software and are taking a big risk for your company. If an employee installs unauthorized copies of software on company computers or illegally downloads software from the Internet, the company may be held liable - even if the company's management was not aware of the employee's actions. Business Software Alliance has sample corporate policy and memo to employees to minimize your company risk. Go to:

<http://global.bsa.org/usa/antipiracy/tools/business.shtml>

7 Deadly Sins of Hiring, Being Hired and Staying on the job. Excerpts from Sales Moves by Jeffrey Gitomer from Western Business News, Billings, July 2003

1. Looking at the wrong time and in the wrong place. Do you only hire or look to hire when there's a need? Major mistake! Hiring in a crunch is managing by crisis. Try looking for people you want before you have a need. You need to solicit the best people in your industry.
2. Asking dumb questions. What kind of questions do you ask when you interview? "Name two strengths and two weaknesses you have? Or perhaps "Describe your ideal environment?" Sound familiar? Hiring managers ask these and other dumb questions because that's how they were taught. Try asking questions that engage the candidate to think. Ask scenario-based questions that they may encounter on the job. This will give some insight on "how" they will react in the real world. "What would you do if ___." "How would you react to ___?"
3. Making an offer just because you "need" someone. How many times have you made an offer to someone you know is not the best person for the job? It may solve your immediate problem, but a new set of bigger problems is right around the corner. Guaranteed.
4. Not setting clear expectations. Just because you understand what needs to be done does not mean your new employee understands. Ask for them to explain to you what they think their responsibilities are so you know they understand. By taking this extra step in the beginning, you will eliminate confusion and frustration. Setting expectations means explaining potential roadblocks in addition to just stating company policies.
5. Not communicating to be understood. Many managers assume they are communicating effectively with their employees. RULE ONE: Always ask the person to repeat the issue so you understand they understand. When employees feel involved, they have a sense of being and feel appreciated. Communication or lack of will most likely pre-determine the outcome of an employee's fate.
6. Forgetting to reward the one you have already hired. The three basic needs all people have are: To be liked. To feel important. To be appreciated. If you do not appreciate them or if you fail to make them feel important to the team, they will leave. Rewarding employees is not an option.
7. Failing to create loyal employees. Loyalty is determined by your actions or inactions when an employee has a problem. The way you respond to problems will send the message to everyone on how you feel about your employees. Loyal employees will create profits for the company.

September Business Calendar

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
7	8	9 >Commercial Financing Helena >From Filing to Finance Helena >Human Resources Audits in Mt. Helena >Assistance for Business Clinics Lewistown	10 >Community Express Loan Workshop Helena >From Filing to Finance Butte >Payroll Basics Helena >Assistance for Business Clinics Great Falls	11	12	13
14	15	16 >Writing a Business Plan Missoula	17 >Beginning QuickBooks Helena	18 >SBIR-An Opportunity to Build Your Company Kalispell	19 >Dealing Effectively with Unacceptable Employee Behavior Missoula >From Filing to Finance Kalispell	20
21	22 >Excel, a One Day Seminar Kalispell >Grantsmanship Training program (Sept. 22-26) Bozeman	23 >Excel, a One Day Seminar Missoula >From Filing to Finance Gt. Falls >Soft Skills for Manager and Supervisors (Sept. 23 & 30) Helena	24 >Excel, a One Day Seminar Helena	25 >Excel Bozeman >Managing Multiple Projects, etc. Billings >How to Build Powerful Powerpoint Pres. Missla >Montana Profit Enhancement Symposium (Sept. 25-26) Great Falls	26 >Excel, a One Day Seminar Great Falls	27
28	29 >How to Supervise People Great Falls	30 >Drainage & Trenching Billings >Employment Related Records in Montana Billings >How to Supervise People Helena	Oct. 1 >How to Supervise People Bozeman >Human Resources Fundamentals in Montana (Oct. 1-2) Billings	Oct. 2 >How to Supervise People Missoula >Drainage & Trenching Glendive	Oct. 3 >How to Supervise People Kalispell	4
5	Oct. 6	Oct. 7 >Assistance for Business Clinics Polson >Accounting 101 (Oct. 7, 14, 21) Helena >Drainage & Trenching Gt. Falls >How to Design Newsletters, etc. (Oct 7-8) Helena	Oct. 8 >Assistance for Business Clinics Hamilton >Laying the Foundation Helena >Drainage & Trenching Missoula	Oct. 9 >Drainage & Trenching Butte >How to Design Newsletters, etc. (Oct 9-10) Missoula	Oct. 10	11

2003

Accounting 101, Oct. 7, 14, & 21 Helena, \$125. Business Resource Center, Stephanie Hilger, 406-443-0800.

Assistance for Business Clinics, Sept. 9 Lewistown (\$25), Sept. 10 Great Falls (\$40), Oct. 7 Polson (\$40), Oct. 8 Hamilton (\$25). Gives up-to-date information on employment, safety, tax laws, and services available at the Workforce Centers. For Lewistown & Polson contact the local Job Service. For Great Falls & Hamilton contact the local Chamber of Commerce.

Beginning QuickBooks, Sept. 17 Helena, \$75. Business Resource Center, Stephanie Hilger, 406-443-0800.

Commercial Financing, Sept. 9 Helena, Free. How to get money for your business needs. Business Resource Center, Stephanie Hilger, 406-443-0800.

Community Express Loan Workshop, Sept. 10 Helena, Free. SBA Express Loan will be discussed. Business Resource Center, Stephanie Hilger, 406-443-0800.

Dealing Effectively with Unacceptable Employee Behavior, Sept. 19 Missoula, \$149. SkillPath Seminars, 800-873-7545, enroll@skillpath.net.

Drainage and Trenching, Sept. 30 Billings, Oct. 2 Glendive, Oct. 7 Great Falls, Oct. 8 Missoula, Oct. 9 Butte, \$30. Local Technical Assistance Program (LTAP), 800-541-6671.

Employment Related Records in Montana, Sept. 30 Billings, Cost? Lorman Educational Services, 888-678-5565, customerservice@lorman.com

Excel, A One Day Seminar, Sept. 22 Kalispell, Sept. 23 Missoula, Sept. 24 Helena, Sept. 25 Bozeman, Sept. 26 Great Falls, \$79. Fred Pryor Seminars, 800-556-2998.

From Filing to Finance, Sept. 9 Helena, Sept. 10 Butte, Sept. 19 Kalispell, Sept. 23 Great Falls, Free. Launching, organizing, and financing a business led by Bob Brown, Montana Secretary of State, 406-444-3665 or sosbusiness@state.mt.us

Grantsmanship Training Program, Sept. 22-26 Bozeman, \$775. Intensive 5-day program combining instruction and practical exercises in all stages of writing a grant proposal. Salvation Army, 800-421-9512.

How to Build Powerful Powerpoint Presentations, Sept. 25 Missoula, \$249. CompuMaster 800-867-4340, Fax: 913-432-4930, enroll@skillpath.net.

How to Design Newsletters, Ads, Proposals, etc., Oct 7-8 Helena, Oct. 9-10 Missoula, \$395. National Seminars Group, 800-258-7246 or www.natsem.com.

How to Supervise People, Sept. 29 Great Falls, Sept. 30 Helena, Oct. 1 Bozeman, Oct. 2 Missoula, Oct. 3 Kalispell, \$129. Fred Pryor Seminars, 800-556-2998.

Human Resources Audits in Montana, Sept. 9 Helena, \$289. Lorman Educational Services, 715-833-3959, onsite@lorman.com.

Human Resources Fundamentals in Montana, Oct. 1-2 Billings, \$469. Lorman Educational Services, 715-836-3959, www.lorman.com.

Laying a Foundation, Oct. 8 Helena, Free. A Pre-Business Plan Workshop. Business Resource Center, Stephanie Hilger, 406-443-0800.

Managing Multiple Projects, Objectives and Deadlines, Sept. 25 Billings, \$199. SkillPath Seminars, 800-873-7545, enroll@skillpath.net.

Montana Profit Enhancement Symposium, Sept. 25-26 Great Falls, Cost? Colleen Rudio, 406-549-4148, www.iccscpa.com.

Payroll Basics, Sept. 10 Helena, Cost? Lorman Educational Services, 888-678-5565, customerservice@lorman.com

SBIR-An Opportunity to Build Your Company, Sept. 18 Kalispell, Cost? Montana Department of Commerce SBIR Program, Linda Brander, 406-841-2749, lbrander@state.mt.us.

Soft Skills for Manager and Supervisors, Sept 23 & 30 Helena, \$50. 12-hour workshop provides tools to effectively lead staff while maintaining morale, respect and open communication. Business Resource Center, Stephanie Hilger, 406-443-0800.

Writing a Business Plan, Sept. 16 Missoula, \$10. Montana Community Development Center, Steve Grover, 406-728-8234 ext. 206, sgrover@mtcdc.org.

MDT Owned Wetland Mitigation Sites

MDT can also purchase properties to develop wetland mitigation. Over the past several years, MDT has purchased 400 acres across the state in an effort to meet the Army Corps of Engineers' compensatory wetland mitigation requirements. Some of these wetlands were developed in former borrow material pit locations that bisected groundwater levels and were reclaimed as wetlands. Some sites are as small as five acres, while others are as large as 100 acres. Several are located in the Billings area, with other sites scattered across the state.

One MDT-owned site of particular interest is situated adjacent to Montana Highway Route 35, close to the town of Creston in Flathead County. This 20-acre parcel was purchased in 1995 for the express purpose of developing wetlands that would mitigate the wetlands impacted by the Creston North & South Highway 35 reconstruction project. Since that time, the site has developed into an emergent wetland marsh with two open water areas totaling 14 acres, which provide a wealth of habitat for waterfowl and other wildlife. There is a parking area with public access for wildlife viewing only. No hunting is allowed on the property due to the close proximity of residences in the area.



Kleinschmidt Creek near Ovando, 2001



Win \$250.00

Deadline: November 30, 2003

The contest is now open to any individual or business.

Create an original logo to represent the MT Dept of Transportation Disadvantaged Business Enterprise (DBE) program. The criteria for selection of logo will be originality, reproducibility, program identification, and professional appearance.

Please submit your logo artwork to Rebecca Johnson, 800-883-5811, 406-444-7287, 406-444-7685 Fax, rejohnson@state.mt.us, PO Box 201001, Helena, MT 59620-1001. <http://www.mdt.state.mt.us/civilrights/>

Winner will be announced December 15, 2003.
All entries will receive a small gift of appreciation.

DBE Program mission is to further the development of DBEs to compete successfully, to ensure a "level playing field," foster equal opportunity for DBEs in DOT-assisted contracts, and reduce burdens on small businesses. All rights to the selected artwork will become the property of MDT DBE Supportive Services Program. No logo will be selected if the entries do not meet the criteria. MDT attempts to provide accommodations for any known disability that may interfere with a person's ability to participate in any activity of the Department. For further information, call (800)883-5811 or TTY (800)335-7592.



Marketing a Small Business – What to Know

80 percent of a company's business comes from 20 percent of its customers. Take care of your loyal customers – let them know how much you appreciate their business.

Understand your customer needs – why do your current customers use your business, what do they like and dislike about your company.

Build relationships with your customers – help them solve a problem with your service.

Listen to your customers – let them tell you what they need.

Looking for new customers never stops, become a member of your local Chamber, join a service club, participate in community events – help your local school.

Follow up with your new customers. Show customers their opinions matter.

Just do it. Set a quota of contacts per day. Analyze your style and identify your weak skills and keep practicing.

Safety Made Simple: The ABCs of Work Zone Safety

This safety video is available to DBEs. Check it out from the DBE Lending Library. If you like it, DBE Supportive Services will get you the tape free. 13-minute tape emphasizes the importance of awareness, being visible, and communication. Call Today!

FHWA Program Continuation Beyond TEA-21

BACKGROUND: After TEA-21 authorization ends on September 30, 2003, the Federal Highway Administration (FHWA) will not be able to continue program delivery. Due to changes in the Highway Trust Fund (HTF) provisions of the Internal Revenue Code and the lack of sufficient carryover balances of contract authority, the Federal-aid highway program is faced with a dramatically different operational environment as compared to the environment which existed at the end of ISTEA, on September 30, 1997. TEA-21 specifically amended the Internal Revenue Code to effectively prohibit future uses of this approach without appropriate legislative action by Congress.

IMPACT: Under current law, FHWA cannot approve any new projects or allow the States to incur any other new obligations of contract authority, including carryover contract authority, after September 30, 2003. Further, FHWA will not be able to carry on operations to reimburse States for expenses incurred against existing obligations because FHWA itself cannot obligate carryover contract authority for administrative expenses after September 30.

REMEDIES: The following minimum legislative remedies are needed before September 30, 2003 to allow the FHWA to make payments of existing obligations and continue operations:

- To permit contract authority previously made available to be obligated for Federal-aid highways, Title 26 must be amended, or a Revenue Bill enacted, to allow expenditures from the Highway Trust Fund for liquidation of new obligations by States and by FHWA incurred after September 30, 2003.
- To allow FHWA to continue administration of the Federal-aid program, new amounts of sufficient contract authority or other budget authority must be provided for administrative expenses.
- An Appropriations Act or a Continuing Resolution would be required to make sufficient liquidating cash available from the Highway Trust Fund.

It is important to note that all three of the actions described above are required to keep FHWA open for business beyond September 30, 2003. Unlike past years, FHWA's carryover administrative contract authority on October 1, 2003 will be very limited -- approximately \$13 million.

Q: When can I expect to know whether we have to institute shutdown procedures?

A: As FHWA determines if contingency requirements must be implemented, official guidance will be disseminated. We expect to see corrective measures approved by Congress in mid to late September, 2003.

SAFETEA Safe, Accountable, Flexible and Efficient Transportation Equity Act of 2003 –

Reauthorization of TEA-21 transportation plan. TEA-21 will expire September 30, 2003. SAFETEA is a six-year \$247 billion Bush administration proposal. There is less than 30 days to get this proposal passed by congress. TEA-21 has no wording to extend the authorization to fund the highway program - it is unsure of the impact if this new authorization bill is not passed in time. Read more about the new authorization plan at: <http://www.fhwa.dot.gov/reauthorization/index.htm>

Sub-Contractor Check List

A prime contractor's sample checklist for use when talking with subcontractors about their subcontract quotes: Can you answer the following questions?

Are you a DBE/ MBE?
Do you have bonding?
Do you have insurance?
Did you include Gross Receipts Tax in your quote?
Do you have the necessary permits?
Any testing required?
Any staking required?
Did you include mobilization in your quote, do you plan to store materials at site?
Health Considerations?
Traffic Control needed for your work?
BMP Considerations?
Qualified Supervisor?
Haz-Mat Training?
Staging Requirements?
EEO Statement?
Other?
Exclusions?

Quote of the Month

Nothing is particularly hard if you divide it into small jobs.

Henry Ford

MDT Highway Construction Projects Invitation for Bids, Letting of September 25, 2003

For the most complete and timely bid information, go to the web site <http://mdt.state.mt.us/ctrct/contract.htm> and click on Invitation for Bids. While the newsletter has notices posted, do not rely on this information alone.

Sealed bids on the following projects will be received by the MDT-Highways Division, Contract Plans Section, Room 101, 2701 Prospect, Helena, MT until 9:00 a.m. on September 25, 2003, the bids being publicly opened and read thereafter at 10:00 a.m. in the Department's auditorium. Bids proposals, plans, cross-sections, and full instructions to bidders are on file for examination, and may be obtained from the Contract Plans Section 406-444-6216, 6212 or 6215, Fax 406-444-7236 or go to web site <ftp://ftp.mdt.state.mt.us/contract/orderform.pdf> for order form.

1. **Pompeys Pillar Interchange & BNRR – 2 km West of Pompeys Pillar, Federal Aid Project Nos. IM 94-1(64)23 & BR 568-1(13)0** **Pompey's Pillar** Interchange - Grading, gravel surfacing, plant mix bituminous surfacing on 0.723 km of the Pompey's Pillar Interchange project in Yellowstone County. **BNRR-2 km West of Pompey's Pillar** – 96-meter concrete prestressed beam structure and approaches on the BNRR-2 km West of Pompey's Pillar project in Yellowstone County. DBE contract goals are 3.0%.
2. **Woodard Ave.-Absarokee & Lighting-Woodard Ave.-Absarokee, Federal Aid Project Nos. STPP 78-2(20)33 & STPP 78-2(22)33** **STPP 78-2(20)33** – Grading, gravel, plant mix surfacing, sidewalk, waterline replacement and storm drain construction on the Woodard-Absarokee project in Stillwater County. **STPP 78-2(22)33** – Electrical improvements on the Lighting-Woodard Avenue-Absarokee project in Stillwater County. DBE contract goals are 5.0%.
3. **1994-Safety Improvements – Somers Area & Somers - East, Federal Aid Project Nos. STPHS-STPP 00029454) & SFCP-STPHS 82-1(3)1** **STPHS-STPP 0002(454)** – Pulverize, widening, overlay and reconstruction on the 1994-Safety Improvements-Somers Area project on 4.4 km of Montana 82 in Flathead County. **SFCP-STPHS 82-1(3)1** – Overlay, widening, seal and cover on 7.5 km of the Somers-East road on Montana 82 in Flathead County. DBE contract goals are 2.0%.
4. **D-4 – Non-Interstate Guardrail, Federal Aid Project No. NHTSA 0002(393)** Guardrail & Bridge Rail on the D4-Non-Interstate Guardrail project in Valley, Roosevelt, Richland, Sheridan, Custer, Garfield, McCone & Phillips Counties. DBE contract goals are 0.0%.
5. **Pass Creek – 2 km SW of Wyola, Federal Aid Project No. BR 9002(31)** Construction of a 31.0 meter prestressed concrete beam bridge and grading, aggregate surfacing, plant mix surfacing, seal and cover of approaches on 0.3 km of the Pass Creek – 2 km SW of Wyola project on a Big Horn County road from RP 0.40 to 0.60. There is a mandatory pre-bid conference September 9, 2003. DBE contract goals are 2.0%
6. **2000 – D2 – Signing & Electrical, Federal Aid Project No. STPHS 16947)** Signal modification, new flashers and signing at two locations on the 200-D2-Signing and Electrical project in Gallatin County. DBE contract goals are 0.0%

MT Contracting Opportunities

Construction of Linton Mine & Mill Site Reclamation Project, Missoula County, US Army Corps of Engineers, DACW45-03-B-0019, Bid Date: Sept 22, 2003, Improve existing roads, relocate underground utilizes, excavate, backfill, replace culvert, reconstruct road, regrade/revegetate disturbed area, fencing, <http://www.eps.gov/spg/USA/COE/DACA45/DACW45-03-B-0019/listing.html> Patricia Overgaard, 402 221 3031 Pat.M.Overgaard@usace.army.mil

Upgrading 2 Sewage Lagoons at 2 Missile Alert Facilities, F24604-03-R-0016, Malmstrom AFB, Great Falls, MT, Bid Date: Sept 15, 2003, <http://www.eps.gov/spg/USAF/AFSC/341CONS/F24604-03-R-0016/listing.html>

Holbrook Creek Trail No. 131 and Barlett Creek Trail No. 129, RFP R1-10-03-2, Bid Date: October 15, 2003, Powell County, MT Flathead National Forest, Construction of 6.3 miles of trail including clearing and grubbing, tread construction, switchbacks, drain dips, ditches, culvers. <http://www.eps.gov/spg/USDA/FS/0385/RFP%5FR1-10-03%5F2/listing.html>

Repair Parking Lot, F24604-03-R-0023, Malmstrom AFB, Bid Date: Sept 20, 2003, construction of additional parking area, replacement of existing parking area, improvements to drainage, landscaping, tree and shrub planting. <http://www.eps.gov/spg/USAF/AFSC/341CONS/F24604-03-R-0023/listing.html>

Werner Creek Bridge, R1-10-03-32, Flathead National Forest, Bid Date: Sept 17, 2003, embankment, soil erosion, structural excavation, riprap, placing aggregate, concrete structures, bridge structure, metal pipe, seeding, Nola Rice, 406-758-5310, [nnrice@fs.fed.us](mailto:nrice@fs.fed.us)

Upper Nicola Creek Arch Pipe, R1-10-03-30, Flathead National Forest, Bid Date: Sept 15, 2003, remove culverts, soil erosion, minor structure excavation, placed riprap, place aggregate, steel structural plate, seeding, Nola Rice, 406-758-5310, [nnrice@fs.fed.us](mailto:nrice@fs.fed.us)

Lookout Creek Arch Pipe, R1-10-03-31, Flathead National Forest, Bid Date: Sept 16, 2003, remove culvert, excavation, embankment, drainage excavation, metal pipe, steel structures, Nola Rice, 406-758-5310, [nnrice@fs.fed.us](mailto:nrice@fs.fed.us)

Erosion Protection of WSA Berms, F24604-03-R-0020, Malmstrom AFB, Great Falls, Bid Date: Sept 11, 2003, install berm liners, <http://www.eps.gov/spg/USAF/AFSC/341CONS/F24604-03-R-0020/listing.html>

DBE Supportive Services , Civil Rights Bureau
MT Department of Transportation
PO Box 201001
Hclena, MT 59620-1001
800-883-5811
TTY (800) 335-7592

ADDRESS CORRECTION REQUESTED

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HELENA, MT 59601



DBE NEWSLETTER

MONTANA DEPARTMENT OF TRANSPORTATION
Published Monthly by DBE Supportive Services

Volume 3, Issue 10 *Promoting the growth of Disadvantaged Business in Montana* October 2003

Upcoming Dates

- MDT Bid Advertisement October 16, 2003
- MDT Bid Letting November 13, 2003
- MDT Bid Advertisement November 20, 2003
- MDT Bid Letting December 18, 2003
- Estimating Workshop with Free Software, Billings, November 3, 2003 (details Page 2)

DBE Annual Eligibility Update is due NOW

Get your company annual eligibility application to the DBE office by October 15th.

Call Alice Flesch, 406-444-6337 or Debbie Riemann, 406-444-9299, if you have any questions about completing this paperwork.

Do it today - Don't risk losing your DBE certification.

MONTANA DBE PROGRAM

Debbie Riemann, Acting DBE Program Manager, driemann@state.mt.us (406) 444-9229

Alice Flesch, Acting DBE Program Specialist, aflesch@state.mt.us, 406-444-6337

Rebecca L. Johnson, DBE Supportive Services Manager, rejohnson@state.mt.us (800) 883-5811

Bamby Campbell, DBE Supportive Services Admin. Assistant, bamcampbell@state.mt.us

Vicky Koch, Civil Rights Bureau Chief, vkoch@state.mt.us (406) 444-6335

2701 Prospect Avenue/PO Box 201001, Helena, MT 59620-1001, (406) 444-6331, Fax (406) 444-7685 TTY (800) 335-7592 www.mdt.state.mt.us and click on Civil Rights Bureau

Report is Due

Quarterly Activity Report for the 3rd quarter (July to September 2003) is due in the DBE Supportive Services office by October 31, 2003.

Form is enclosed and is also available on the Internet at http://www.mdt.state.mt.us/civilrights/pdf/dbeactivity_rpt.pdf



DBE Participation/Goal Comparison

FFY 2003 DBE Goal is 7.36%
FFY 2003 DBE Participation is 7.16%
(excluding Sept reports)

FFY2004 DBE Goal is 7.26%
(4.76 Race-Neutral and 2.5% Race-Conscious)

INSIDE THIS ISSUE

1	Dates, Annual Eligibility Update, Quarterly Activity Report, DBE Goal
2	DBE Monthly Update, Estimating Workshop, CTEP, As Read Bid Results
3	2-Stepping—Diverse Workplace (Part 2), Defense Business Conference, Ethnoscience Profile
4	Davis Bacon Wage Rates, 5-Month TEA-21 Extension
5	Computer Bid Letting, MCA Environmental Excellence Awards, You Tell Me-DBE Room, Report Environmental Violations
6	Independent Contractor, MCCF Requirement, Quote, Panel Discussion-Independent Contractor and Employees
7	Montana Contracting Opportunities

Montana DBE Company Monthly Update

Recently Re-Certified DBE Companies:

Beck Consulting – Red Lodge, MT

Owner, Barb S. Beck

Cultural Diversity Consultant including
Management Training, Conflict Management
Training, Team Building, Ethnography

Eagle Rock Timber, Inc. – Idaho Falls, ID

Owner, Rick R. Gokey

Capabilities include excavation; trenching and
placing of utilities; hauling, placing and
compacting of soils; reforestation; wetlands
remediation; landscaping; timber and open
rangeland fire suppression

Tracy Knoop Novak, Environmental

Consultant – Bozeman, MT

Owner, Tracy M. Knoop Novak

Environmental Consulting, Wetland Studies,
Water Quality Assessment

Valley Illuminators – Auburn, WA

Owner, Polly Valley

Manufacturer and Supplier of Airfield Sign,
Runway Markers, Reflectors

CTEP - Community Transportation Enhancement Program

Under this program, MDT sub allocates funds
to local communities to provide innovative
opportunities to enhance the transportation
system. A common CTEP project is
pedestrian and bicycle paths.

CTEP will be moving from the Planning
Division into the Engineering Division,
Preconstruction Bureau, Consultant
Engineering Section under the direction of
Tom Martin.

For more information about the CTEP
program, look at their web site at:
<http://www.mdt.state.mt.us/planning/ctep/>

Estimating Workshop Business Incubator, MSU Campus, Billings November 3, 2003 \$25.00

Learn basic estimating skills, Heavy Bid Express software, and
MDT bidding procedures and requirements of contractors to work
on projects.

Agenda

8:00am – 8:30am Registration

8:30am – 10:00am Learn the basic estimating skills

10:00am-12:00pm Learn Heavy Bid Express software – get a copy
of the construction estimating software

12:00pm-1:00pm Lunch Provided

1:00pm-3:00pm Learn what you need to know about bidding and
working on MDT projects

3:00pm-?? Question and Answer Session

Speakers are: Sandi Burns, Project Solutions, Provides Support to
South Dakota DOT DBE Supportive Services, Myron Wilson,
Construction Engineer, MT Dept of Transportation (MDT) Billings
District, Rebecca Johnson, MDT Disadvantaged Business
Enterprise (DBE) Supportive Services.

Please call Rebecca Johnson for further information at 800-883-
5811. To register, mail this form to Rebecca Johnson, PO Box
200101, Helena, MT 59620-1001, along with \$25.00 check made
out to Montana Business Incubator. Room is limited to 40
participants. Please send in your registration information and check
today. Thank you.

Attendee Names _____

Company Name _____

Company Phone Number _____

DBE Companies – ask Rebecca how to get reimbursed for the \$25.00 fee.

As Read MDT September 25, 2003 Bid Letting Results

Project Title and #	Prime Bidder	Low Bid Amt.	DBE Participation Dollars / %	
IM 94-1(64)23 Pompeys Pillar Interchange	Sletten Construction Co.	\$3,366,137	\$170,595	5.07%
STPP 78-2(20)33 Woodard Ave. - Absarokee	Cop Construction LLC	\$3,005,240	\$237,047	7.89%
STPHS-STPP 0002(454) 1994-Safety Improvements - Somers Area	JTL Group, Kalispell	\$2,335,725	\$72,267	3.09%
NHTSA 0002(393) D-4 - Non-Interstate Guardrail	H L Construction	\$1,699,692		
BR 9001(31) Pass Creek - 2 KM SW of Wyola	Sletten Construction Co.	\$750,662	\$24,655	3.28%

TWO STEPPING IN A DIVERSE WORKPLACE (Part 2 of 5)

Disco, Disco, Discrimination:

Federal or state law covers protection against most types of discrimination. In any event, you must steer clear of discriminating against employees due to a protected class.

SO LET'S SAY ... You need to give someone an assignment that includes a small raise and a chance for a promotion. Jose, a Mexican immigrant, might be the best person for the job, but he has some trouble understanding English. Although it doesn't really affect his work, you get very frustrated talking to him, so you don't even consider him for the assignment. You just committed illegal discrimination based on Jose's race and national origin.

Discrimination can be a sneaky thing. For example, a supervisor might not want a pregnant worker to lift boxes even though she says it's ok. While the supervisor has good intentions, it could be pregnancy discrimination to treat her differently than employees with other medical conditions.



Leslie Wootan, MDT Civil Rights Bureau, Administrative Assistant, and Dave Brown, Employee Relations, Personnel Specialist

Defense Business Conference

sponsored by Senator Conrad Burns
Great Falls Readiness Center -
Saturday, October 18, 2003 7:00 AM

"It gives me great pleasure to announce the first year of my small business Defense Business Conference: A Chance to Connect. I am pleased to welcome various representatives from the defense and small business communities who will join us to share useful advice on bidding for and winning government contracts. This will be the first conference of this type that I have hosted and will be held at the new Great Falls Army National Guard Readiness Center in Great Falls, Montana. Great Falls boasts not only a great view of the Rocky Mountain Front, but is home to the only active Air Force installation in the state, Malmstrom Air Force Base. I hope this will become an annual event, growing each year and becoming a tradition aimed at enhancing economic development by improving access to information for Montana's small businesses."

"We will be fortunate to have a distinguished group assembled in Great Falls to facilitate small business development in the Big Sky State. The list of representatives from both industry and government is indeed impressive. They will be with us to explain government purchasing practices and provide specific advice for potential government contractors."

"For your convenience, computers with Internet access will be available in the exhibit room. If you have not already done so, you may register for the conference by clicking on the Defense Procurement conference link on this website."

"This conference is sure to be a good one. Please join us at the Great Falls Readiness Center. Hope to see you there!"

For agenda information and to register for the event go to:

http://burns.senate.gov/index.cfm?FuseAction=Events.Detail&Event_id=50

Ethnoscience, Inc. DBE-Certified, located in Billings, MT

Ethnoscience conducts Native American ethnographic studies throughout the country. Other services include: Native American Consultation; Environmental Impact Statements; Ethnographic Overviews; Cultural Impact Assessments; Cultural Resource Inventory, Testing, Mitigation and Management Plans.

Ethnoscience has worked in a number of states including Montana, North and South Dakota, Wyoming, Washington, Idaho, Georgia, Florida, Nevada, and Oklahoma.

The company was founded in 1983. Lynelle Peterson is president of the company and recent owner. Ethnoscience currently employs 16 individuals; however, this number will decrease with the end of the field season. Ethnoscience generally retains a core group of nine individuals. They include four individuals with MA's in anthropology, an individual with an MA in history and four support staff.

Their unusual logo is a simplified version of a petroglyph found in Pictograph Caves near Billings, Montana. It depicts a turtle, an important symbol amongst Northern Plains tribes.

Davis Bacon Wage Rates by Vicky Koch, Civil Rights Bureau Chief

Ever wonder why Davis Bacon wage rates in other states are either higher or less than they are in Montana? Let me try to explain a semi-complex question with a non-bureaucratic answer.

In Montana there are two different kinds of Davis Bacon wage rates:

- The first are the “Little” Davis Bacon rates that apply only to public works projects that are totally funded by the State of Montana. The MT Department of Labor and Industry – Labor Standards Bureau is responsible for establishing these rates and also for all compliance activity related to the “Little” Davis Bacon rates. For more information on these rates contact the MT DOL Labor Standards Bureau at (406)444-5600/TTY (406)444-0532.
- The second are the rates that apply to federal-aid highway construction projects. Those rates (hourly rate + zone pay + fringe benefits) are established by the U. S. Department of Labor in Washington D.C. In Montana the Montana Department of Transportation has the labor compliance responsibility for federal-aid projects.

The federal wage rates are generally established in one of two ways – by wage survey or by petition.

Wage surveys are conducted by US DOL. Their survey is sent to contractors who have been identified as active participants in the federal-aid industry in a specific state. When all the individual surveys have been returned to U. S. DOL, wage and hour specialists compile the information and determine what the prevailing rate for each classification is in that State.

The last survey done in Montana was approximately 8 years ago. That survey turned out to be a nightmare for Montana contractors because U.S. DOL determined that each county had a different rate for each classification. For example, there are 56 counties in Montana. U.S. DOL’s determination was that there were 56 different rates of pay for nearly every classification. As a contractor, imagine if you had to pay a totally different rate of pay for your roller operator in every single county you had a contract. MDT and the contracting community protested the U.S. DOL survey because of the accounting nightmare it created. As a result U.S. DOL decided to go back to the petition method that had been in place for many years prior to that survey.

The petition method is fairly simple. An individual or a group of individuals can present a petition signed by 51% of the contractors who have signed contracts with MDT. The petition requests an increase in hourly rates, zone pay, or fringe benefits (or all three at once). The petition is submitted to MDT – Civil Rights Bureau. The CRB verifies that the petition signers represent 51% of the active prime contractors currently doing business with MDT. Once the data has been verified, the petition is forwarded to U.S.DOL in Washington D.C. MDT does not make any recommendations regarding the petition – it is merely forwarded to U.S.DOL.

Either of the above methods is available in each State. Generally, those states that do not have a strong union base will have a lower prevailing wage rate. There are many different kinds of federal Davis Bacon rates. For example:

- Heavy Rates – generally pertain to underground or mining work
- Highway Rates – generally apply to highway projects
- Building Rates – generally apply to buildings such as rest areas, colleges, etc.
- Direct Federal rates – will apply only to projects that are totally funded by the Federal government (federal-aid projects have both State and Federal money)

If you are performing work that requires Davis Bacon wage rates it is important that you identify whether those rates are Federal, Federal-aid, or “Little” Davis Bacon because the compliance requirements for each of the different kinds may be significantly different. Even certified public accountants may not be aware that different rules apply and as a contractor you may find yourself in non-compliance because your CPA didn’t know which rules applied.

For specific information you can contact the Civil Rights Bureau at 444-6331 (800-335-7592 TTY) or take a look at our website: www.mdt.state.us/civilrights/

5-Month Extension of TEA-21

Surface Transportation Extension Act of 2003 - Extends Federal highway, highway safety, motor carrier safety, and transit programs for five months, and authorizes appropriations, through February 29, 2004.

Directs the Secretary of Transportation to: (1) apportion funds made available for Federal-aid highway programs under the Transportation Equity Act for the 21st Century (TEA-21) to each State according to the ratio of the State’s FY 2003 obligation authority to the FY 2003 obligation authority for all States; and (2) ensure that each State is apportioned funds for the Interstate maintenance program, the National Highway System program, the bridge program, the surface transportation program, the congestion mitigation and air quality improvement program, the recreational trails program, the Appalachian development highway system program, and the minimum guarantee. 9/30/2003 Became Public Law No: 108-88. More information on TEA-21 extension and new SAFTEA reauthorization bill can be found at <http://www.fhwa.dot.gov/reauthorization/>

October Business Calendar

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
			1	2	3	4
5	6	7	8	9	10	11
12	13	14 >It's a Lock-Trademarks/Patents Helena >Understanding Networking Fundamentals (Oct 14-15) Billings >Excel Level 2 Missoula >Adobe Photoshop Level 1 Missoula >eWomanNetwork "Accelerated Networking" Butte	15 >Intermediate. QuickBooks Helena >Bootstrap Marketing St. Regis	16 >Intermediate Excel Helena >QuickBooks Pro Missoula >Creating a Positive Workplace Billings	17 >The Conference for Women Misl >Access Level 2 Missoula >InDesign Level 1 Missoula	18
19	20 >How to Balance Priorities Kalispell >Microsoft Publisher Missoula	21 >Dealing Effectively... Behavior Billings >How to Balance Priorities Missoula >Writing -Business Plan Missoula	22 >How to Balance Priorities Helena	23 >Understanding Affirmative Action & EEO Billings >How to Balance Priorities Bozeman	24 >How to Balance Priorities Gt Falls	25
26	27	28 >How to Handle Employee Problems (Oct 28-29) Bozeman	29 >Project-Managing a Project Missoula	30 >How to Handle Employee Problems (Oct 30-31) Billings	31 >InDesign Level 2 Missoula	1
2	Nov 3 >Excel Level 1 Missoula > Microsoft Excel Bozeman	Nov 4 >Leadership Development & Teambuilding Billings >How to Deliver Exceptional Customer Service Bozeman >Evaluating Business Idea Missoula >Powerful Communication Skills for Women Missoula	Nov 5 >Getting the Most From Excel Missoula >How to Deliver Exceptional Customer Service Helena >Powerful Communication Skills for Women Helena > Microsoft Excel Billings >Word-Level 1 Missoula >Access-Level 1 Missoula	Nov 6 >How to Deliver Exceptional Customer Service Missoula >Powerful Communication Skills for Women Bozeman	Nov 7 >How to Deliver Exceptional Customer Service Kalispell >Powerful Communication Skills for Women Billings	8

2003

Access-Level 1, Nov 5 Missoula, \$119. Watercolor Computer Training, (406)542-1573,

Access-Level 2, Oct 17 Missoula, \$119. Watercolor Computer Training, (406)542-1573, www.watercolorct.com. A Database class.

Adobe Photoshop-Level 1, Oct 14 Missoula, \$119. Watercolor Computer Training, (406)542-1573, www.watercolorct.com.

Bootstrap Marketing, Oct 15 St. Regis, \$10. Montana Community Development Corp., Steve Grover (406)728-9234, sgrover@mtcdc.org. Confirmation of location & times suggested in advance.

Creating a Positive Workplace, Oct 16 Billings, Cost?? Facilitator is Mike Deisz, a self-employed consultant. Workshop geared to reduce employee problems, turnover and increase productivity & customer service. Call 800-242-2277 or mike@mvdeiszconsulting.com.

Dealing Effectively with Unacceptable Employee Behavior, Oct 21 Billings, \$149. SkillPath Seminars, 800-873-7545.

Evaluating a Business Idea, Nov 4 Missoula, \$10. Montana Community Development Corp., Steve Grover (406)728-9234, sgrover@mtcdc.org. Confirmation of location & times suggested in advance.

eWomanNetwork "Accelerated Networking", Oct 14 Butte, \$75. Cinda Renourd (406)494-7952 or cindar@eWomenNetwork.com.

Excel Level 2, Oct 14 Missoula, \$119. Watercolor Computer Training, (406)542-1573, www.watercolorct.com.

Excel Level 1, Nov 3 Missoula, \$119. Watercolor Computer Training, (406)542-1573, www.watercolorct.com.

Getting the Most from Microsoft Excel, Nov 5 Missoula, \$99. SkillPath Seminars, 800-873-7545.

How to Balance Priorities & Manage Multiple Projects, Oct 20 Kalispell, Oct 21 Missoula, Oct 22 Helena, Oct 23 Bozeman, Oct 24 Great Falls, \$149. Fred Pryor Seminars, 800-556-2998. www.pryor.com.

How to Deliver Exceptional Customer Service, Nov 4 Bozeman, Nov 5 Helena, Nov 6 Missoula, Nov 7 Kalispell, \$99. Fred Pryor Seminars, 800-556-2998, www.pryor.com.

How to Handle Employee Problems, Oct 28-29 Bozeman, Oct 30-31 Billings, \$395. National Seminars Group, 800-258-7246 or www.natsem.com.

InDesign-Level 1, Oct 17 Missoula, \$119. Watercolor Computer Training, (406)542-1573, www.watercolorct.com. A Desktop Publishing class.

InDesign-Level 2, Oct 31 Missoula, \$119. Watercolor Computer Training, (406)542-1573, www.watercolorct.com.

Intermediate Excel (97/2000/XP-2002), Oct 16 Helena, \$160. The Computer School, (406)442-3366.

Intermediate QuickBooks, Oct 15 Helena, \$75. Business Resource Center at CTI, Stephanie Hilger (406)443-0800.

IT'S A lock – Trademarks/Patents, Oct 14 Helena, Free. Learn how to develop and protect your innovative ideas. Business Resource Center at CTI, Stephanie Hilger (406)443-0800.

Leadership Development & Teambuilding, Nov 4 Billings, \$199. SkillPath Seminars, 800-873-7545, enroll@skillpath.net.

Microsoft Excel, Nov 3 Bozeman, Nov 5 Billings, \$139. National Seminars Group, 800-258-7246 or www.natsem.com.

Microsoft Publisher, Oct 20 Missoula, \$119. Watercolor Computer Training, (406)542-1573, www.watercolorct.com.

Powerful Communication Skills for Women, Nov 4 Missoula, Nov 5 Helena, Nov 6 Bozeman, Nov 7 Billings, \$139. National Seminars, 800-258-7246.

Project-Managing a Project, Oct 29 Missoula, \$119. Watercolor Computer Training, (406)542-1573, www.watercolorct.com.

QuickBooks Pro, Level 2, Oct 16 Missoula, \$119. Watercolor Computer Training, (406)542-1573, www.watercolorct.com.

The Conference for Women, Oct 17 Missoula, \$149. SkillPath Seminars, 800-873-7545.

Understanding Affirmative Action & EEO (Program 1), Oct 23 Billings, \$125. Associated Employers of Montana, (406)248-6178, (406)248-6228fax, acarrillo@associatedemployers.org. How to Build Your own AAP (Program 2), \$70 same participant as Program 1.

Understanding Networking Fundamentals, Oct 14-15 Billings, \$995. The critical knowledge you need to make the most of the latest networking hardware and software. SkillPath Seminars, 800-873-7545.

Word-Level 1, Nov 5 Missoula, \$119. Watercolor Computer Training, (406)542-1573, www.watercolorct.com.

Writing a Business Plan, Oct 21 Missoula, \$10. Montana Community Development Corp., Steve Grover (406)728-9234, sgrover@mtcdc.org. Confirmation of location & times suggested in advance.

Be Recognized for Your Work in Caring for Montana's Environment

Montana Contractors' Association presents the *Montana Environmental Excellence Awards*

Any Company can choose to apply for any or all of the award categories. Each application area will be judged on its own merits and will not be influenced by the number of awards for which a company applies.

Seven award areas have been established:

1. Environmental excellence award
2. Special recognition award in water quality
3. Special recognition award in waste management
4. Special recognition award in energy efficiency/renewable energy development
5. Special recognition award in air quality
6. Special recognition award in habitat restoration/enhancement
7. Environmental Leader Recognition (Individual)

Awards may not be presented in every category. Projects must have been completed in 2003. Applicants must operate in Montana. Deadline for application is November 7, 2003.

Contact Rebecca for more information, the application procedures and form.



Watch future Bid Lettings on your Computer??

Webcast of MDT Bid Lettings is currently on hold. Webcast technology will allow contractors to view live bid lettings via the Internet on their office computer. It is unsure if this service can be provided. MDT is working on resolving these issues. Updates will be posted to keep you informed.

You Tell Me

With this new information about the future of Webcast of bid lettings, do you . . .

Want the DBE Room back?? Yes or No

Contractors, subcontractors, and DBE companies – you tell me if you want this service back and you will attend the room. If I get enough positive response from you, the DBE room will open again.

Contact Rebecca at 800-883-5811, fax 406-444-7685 or rejohnson@state.mt.us

Your opinion matters. Thank you.

Regulatory agencies for Reporting Potential Environmental Violations

Corps of Engineers..... 441-1375

Filling in wetlands or other waters (violation of 404 dredge/fill permit)

US Fish and Wildlife Service449-5225

Violating threatened & endangered species act, e.g. impacting habitat of bull trout

Montana Dept. of Fish, Wildlife & Parks 444-5334 and 227-0130 (call both)

Conducting any work that would affect the bed or banks of a stream without a permit OR conducting work in violation of an SPA 124 permit.

Montana Department of Environmental Quality.....444-0379 (8am-5pm)

841-3911 (after hours) or www.deq.state.mt.us/enf/ Discharges to state waters (in violation of storm water permit e.g. washing concrete into river, inadequate erosion control) and hazardous waste spills

Environmental Protection Agency..... www.epa.gov/compliance/

Underground storage tank cleanup, hazardous waste spills, air pollution, storm water permit violations on reservations

Independent Contractor Issue

Summary of Articles

Ruling Tightens Independent Contractor Statute, *Western Business*, October 2003

Attorney Brad Luck Addresses CFMA Meeting, MCCF Adopts Strict Requirements for Independent Contractors, *Montana Contractor News*, September 2003

Basically, the rule is that if the independent contractor is treated as an employee, then he has to be paid as an employee, including workers' compensation benefits. After the recent "Wild" case settled by the Montana Supreme Court last spring, a business owner cannot rely on the filing of a form (independent contractor certificate) to be exempt from employer responsibilities, i.e., workers' compensation coverage for independent contractor when injured. Companies in construction are exposed to the greatest liability, as workers in trades tend to get hurt more often.

Bradley Luck, legal counsel to the Montana Contractors' Compensation Fund (MCCF), at the recent Construction Financial Managers Association (CFMA) workshop stated that employers now have a clear obligation to make a good faith effort to determine if a person on the job is indeed an independent contractor and not treated like an employee. The general contractor cannot assume independent contractor status simply by holding an independent contractor certificate.

Luck stated, "The only absolutely safe move for a general contractor is to ensure that every person on a job site is insured, either as an employee covered by workers' compensation, or as an independent contractor who has his own insurance."

He also recommended that contractors require proof of coverage from a subcontractor's insurance carrier, and require them to notify the general contractor of any change in coverage.

Ask Rebecca for a copy of the complete articles or a handout that helps you determine if a worker is an employee or independent contractor.

MCCF Adopts Strict Requirements for Independent Contractors

The Montana Contractors' Compensation Fund (MCCF) Board of Directors is now requiring its participating companies to ensure that all persons and entities with whom they contract are covered by workers' compensation insurance at all times during any subcontract. MCCF members will also be required to insure that all sole proprietors, owners, and officers and directors (any person who may "opt in" to work comp coverage) of any subcontractor shall be included in the coverage.

As a result of recent Supreme Court decisions, the MCCF Board, acting as fiduciary, was compelled to minimize risk to the self-insured fund. A letter to MCCF participants (about one-fourth of MCA's membership) stated: "In short, all persons on all projects must either be employees covered by your payroll or contractors with verified coverage for all persons in their business."

The letter goes on to say, "All members are required to monitor the status of the coverage for all subcontractors. This will entail contacting the insurer for the subs from time to time and verifying coverage." The MCCF has provided sample forms for its members to use in complying with the new guidelines.

Quote of the Month

The World's Shortest Sales Course

1. Know their business.
2. Know your stuff.

2-Hour Panel Discussion – Independent Contractors and Employees

To help sort out the rules surrounding independent contractors and employees, the local group of the American Society of Women Accountants is sponsoring a seminar November 6, 2003. Three speakers are scheduled to present a two-hour panel discussion: Diane Bianchi, wage base audit manager, Department of Revenue; Daniel McGregor, attorney, Department of Labor' and, Randy Mostad, a shareholder/manager at Carpet One. ASWA's goal behind sponsoring the seminar is to help accountants keep the companies they work for out of trouble. That means hiring correctly with the necessary support paperwork. State regulators also would like business people to be educated and in compliance rather than run into problems in an audit, says Cathy B. Allen, a certified public accountant in Billings.

For more information on the seminar contact Allen at 245-6933. Registration must be postmarked by Oct. 24.

MDT Highway Construction Projects Invitation for Bids, Letting of November 13, 2003

The Bid Invitation information will be published for this Bid Letting on October 16, 2003.

MT Contracting Opportunities

Architect Engineer Selection Request for Value Engineering Services for Washington, Oregon, Idaho and Montana, Corps of Engineers, W912DW-04-R-0002, Bid Due Date: October 14, 2003, Thomas DeGonia, 206.766.6449, US Army Engineer District Seattle, Thomas.R.DeGonia@nws02.usace.army.mil The intent is to select Architect-Engineer (A-E) firms for value engineering and charrette facilitation services. Typical types of services to be provided are value engineering and studies of project features and design systems. <http://www.epsgov/spg/USA/COE/DACA67/W912DW-04-R-0002/listing.html>

Belton Bridge, Kalispell, MT, MT PRA-GLAC 400(1), Bid Due Date: Oct 30, 2003, Western Federal Lands Highway, This project includes .0287 miles of bridge rehabilitation and minor roadway reconditioning. <http://www.epsgov/spg/DOI/FHWA/WFL/DTFH70-03-B-00024/listing.html> Phone (360)619-7520 contracts@wfl.fha.dot.gov

Lakeside to Nelson Road, MT PFH 29-1(1), DTFH70-03-B-00021, Bid Due Date: Oct 23, 2003, Western Federal Lands Highway, Helena National Forest, 5.14 km of asphalt base stabilization, asphalt concrete pavement, earth fill, guardrail, striping, and signing. (360)619-7520, contracts@wfl.fha.dot.gov <http://www.epsgov/spg/DOI/FHWA/WFL/DTFH70-03-B-00021/listing.html>

D.A.C. Fences 2003, Presolicitation, NDB030085, BLM National, Solicitation documents will be posted October 7, 2003, To construct approx. 15.5 miles of new fence, remove 12.3 miles of existing fence, and install 5 cattle guards. Phillips County, MT. Denise Bickler 3032369443 Denise.Bickler@blm.gov <http://www.epsgov/spg/DOI/BLM/NBC/NDB030085/listing.html>

Planting on Sub-Area Two of Silver Bow Creek, RFP04-727P, General Services Division, State of Montana, Bid Due Date: 10/30/03, <http://www.discoveringmontana.com/doa/gsd/osbs/Results.asp?List=All>

045150CSW, East Fork Swift Creek Bridge Replacement, Montana Department of Natural Resources and Conservation, Bid Due Date: October 29, 2003, <http://www.discoveringmontana.com/doa/gsd/osbs/Results.asp?List=All>

045160CSW, 2003 Northern District Orphaned Well Plug and Abandonment and Site Restoration, Montana Department of Natural Resources and Conservation, Bid Due Date: October 17, 2003, <http://www.discoveringmontana.com/doa/gsd/osbs/Results.asp?List=All>

045170CSW, 2003 Southern District Orphaned Well Plug & Abandonment & Site Restoration, Bid Due Date: October 29, 2003, MT Department of Natural Resources and Conservation. <http://www.discoveringmontana.com/doa/gsd/osbs/Results.asp?List=All>

City of Helena, Helena Area Transportation Plan, Bid Due Date: October 31, 2003, MT Department of Transportation <http://www.discoveringmontana.com/doa/gsd/osbs/Results.asp?List=All>

306966, Chip Seal Project Reynolds Pass North, Bid Due Date: October 21, 2003, MT Department of Transportation, 306970, Crack Seal 2 Locations in the Kalispell Area, Bid Due Date: October 23, 2003, MT Department of Transportation, 306962, Erosion Repair Powder River County, Bid Due Date: October 15, 2003, MT Department of Transportation, 306959, Big Sky Guardrail, Bid Due Date: October 15, 2003, MT Department of Transportation, 306960, Mud Slide Repair MT-37, North of Libby, MT Department of Transportation, Bid Due Date: October 16, 2003, 306964, Grade 4A Chips South of Livingston, Bid Due Date: October 21, 2003, MT Department of Transportation, <http://www.discoveringmontana.com/doa/gsd/osbs/Results.asp?List=All>

Zortman/Landusky Well Reclamation Project, Phillips County, MT, Bid Due Date: Oct 16, 2003, MT Department of Environmental Quality, To abandon 19 existing wells and reclaim 300 feet of drill road. Pre-Bid Conf: Oct 7, 2003. Pete Strazdas, 406-444-0529.

Fort Peck New Water Intake, Pump Station and Pipeline, Bid Due Date: October 23, 2003, HKM Engineering, 406-656-6399, Pre-bid conference October 14, 2003.

Brewery Flats Site Remediation, Lewistown, MT, Bid Due Date: Oct 17, 2003, Removal and off-site disposal of 270 tons of petroleum contaminated soil, backfilling of excavation and revegetating disturbed area. Tetra Tech EM, 406-442-5588

Morning Star Addition Water Main Replacement, City of Havre, Bid Due Date: Oct 14, 2003, Replacing 57 water service lines, 11 water valves, repairing curb and gutter, replacing sidewalk, and landscaping. Milk River Engineering, 406-265-5080

DBE Supportive Services , Civil Rights Bureau
MT Department of Transportation
PO Box 201001
Helena, MT 59620-1001
800-883-5811
TTY (800) 335-7592

ADDRESS CORRECTION REQUESTED

STATE DOCUMENTS COLLECTION

OCT 10 2003

MONTANA STATE LIBRARY
1515 E. 6th AVE.
HELENA, MONTANA 59620



DBE NEWSLETTER

MONTANA DEPARTMENT OF TRANSPORTATION
Published Monthly by DBE Supportive Services

Volume 3, Issue 11

Promoting the growth of Disadvantaged Business in Montana

November 2003

Upcoming Dates

MDT Bid Letting Nov 13, 2003

MDT Bid Advertisement Nov 20, 2003

DBE Logo Contest Entries Due Nov 30, 2003

MDT Bid Letting Dec 18, 2003

DBE Participation/Goal Comparison

For MDT Federally-Funded Projects

DBE Participation is 4.52%

DBE Goal for FY2004 is 7.26%

Prime contractors and engineering firms are encouraged to use DBE companies for subcontract work on every MDT federally-funded construction and consultant project to meet the overall yearly goal of 7.26%. Don't wait to use DBE companies only on projects with a specific DBE goal.

Last federal fiscal year, the DBE Goal of 7.36% was not met. DBE participation was calculated at 7.16%. Do not risk losing federal highway funds, use DBE companies to help achieve this year's goal.

Construction Employer Workshop

8:30am to 4:00pm
\$25.00 (includes lunch)

December 5, MT Business Incubator,
Billings

December 16, MDT Headquarters,
Helena

Provides information to employers in the construction industry on what it takes to be a good employer. Employer regulations, employee files, personnel policies, EEO requirements, and much more.

Rebecca at 800-883-5811 for registration information.

Travel Advice From Montana's Snowplow Drivers

Montana keeps highways open throughout the winter, but travelers face tough conditions at times. Montana's snowplow drivers offer this advice:

Visibility

See and be seen. Keep your headlights and taillights clean, especially in stormy weather. Keep windows clean and make sure defrosters work well. If snow has built up on your vehicle overnight or after a break from driving, clear it away so it doesn't blow off and obscure your windows.

Common Sense

Leave plenty of room between your vehicle and those around you. Drive defensively. Don't assume the other vehicle can or will stop at intersections. Test the road. Don't wait until you have to stop to test your traction. Watch for a safe place and then test your brakes. If road conditions seem to have changed, look for a safe place and test braking again.

Patience

Give yourself extra time to travel in winter. Being in a hurry in a storm or on icy roads is sure to get you in trouble. Passing when you can't see ahead and driving too fast for road conditions cause serious accidents in Montana each year.

Finally, leave the cruise control off for winter driving. It can accelerate your vehicle just as you hit a patch of ice or a slippery bridge deck.

Always be prepared with road and weather information before you set out on your way. Call 511 for current Montana road conditions.

Construction Business Basics and Blueprint Reading

December 2, 2003

8:00 a.m. to 4:00 p.m.

Holiday Inn, 400 10th Ave. S., Great Falls, MT

\$25 per person (includes lunch)

This seminar will provide basic information to help a new contractor understand what the responsibility of business ownership is all about and potential pitfalls to avoid. Basic blueprint reading will cover how to read a set of blueprints and specifications. This seminar will not cover estimating or bidding.

To register, send \$25.00 check payable to Great Falls Economic Development Authority to Rebecca Johnson, MT Dept. of Transportation, DBE Supportive Services, PO Box 201001, Helena, MT 59620-1001. Please call Rebecca at 800-883-5811 with your questions.

Montana DBE Company Monthly Update

Newly DBE-Certified Companies

Sharon Greene & Associates, Sharon Greene, Tustin, CA

Recently DBE Re-Certified Companies—(Annual Eligibility Update is October 31st of each year)

Valley Illuminators	Polly Valley	Federal Way, WA
Tracy Knoop Novak	Tracy Knoop Novak	Bozeman, MT
Eagle Rock Timber, Inc.	Rick R. Gokey	Boise, ID
Beck Consulting	Barbara Beck	Red Lodge, MT
Valley Illuminators	Polly Valley	Federal Way, WA
Fischer & Associates	Sandra K. Fischer	Billings, MT
Kootenai Surveyors	S. Manon Hughes	Libby, MT
Lynda Friesz, Publication Relations, Inc.	Lynda Friesz	Boise, ID
Traffic Research & Analysis, Inc.	Susan Medland	Phoenix, AZ
Bernard Pease Masonry, Inc.	Bernard Pease	Billings, MT
Turner and Associates	Marsha (Josh) Turner	Helena, MT
T.J. Trucking, Inc. dba Johnson Trucking	Terry Johnson	Mission, SD
Kirkness Roofing Co., Inc.	Roger Cummings	Billings, MT
Poteet Construction, Inc.	Debora G. Poteet	Missoula, MT
Renewable Technologies, Inc.	Mitzi Rossillon	Butte, MT
Montana Lines, Inc.	Jan Livesay	Great Falls, MT
Peaks to Plains Design	Jolene Rieck	Billings, MT
Solid Network Solutions, LLC	Maria Curcio	Freehold, NJ
McDevitt Associates, Inc.	Pamela McDevitt	Billings, MT
Petticoat Pipe Cleaning	Carol Gerovac	Belgrade, MT
C&C Excavation, Inc.	Carol Bachini-Wood	Havre, MT
E2 Concrete Construction Inc.	Kenneth Espinosa	Miles City, MT
Northwest Plastics	Darlene L. Ohm	Libby, MT
Ethnoscience, Inc.	Lynelle A. Peterson	Billings, MT
Mackey Construction, Inc.	Patricia Hout-Mackey	Miles City, MT
Rhithron Associates, Inc.	Wease Bollman	Missoula, MT
CJM Construction Company	Cynthia C. Moore	Las Vegas, NV
KM Construction Company, Inc.	Karen Moore	Bozeman, MT
North Wind, Inc.	Sylvia Medina	Idaho Falls, ID
Highway Specialties, Inc.	Sue Platis	Black Eagle, MT
Lorenzen Engineering, Inc.	Diane R. Lorenzen	Montana City, MT
Beard Environmental & Tech Assistance	Rebecca M. Beard	Elliston, MT
Custom Fencing & Welding, Inc.	Diana Youngquist	Sidney, MT
Arrow Striping & Mfg., Inc.	Kymm Stark	Billings, MT
Redd's Prints & Signs, Inc.	Donna "Redd" Szillat	Billings, MT
Hyalite Environmental LLP	Christina Thelan/Carol Lee-Roark	Bozeman, MT
Three Way Construction, Inc.	Joseph Raya	Black Eagle, MT
AM Tech Services LLC	Annell E. Fillinger	Helena, MT
JCT Construction, LLC	Janet Charbonneau	Ballantine, MT
Anderson Highway Signs & Supply, Inc.	Esther L. Anderson	Mills, WY
Rocky Mountain Rebar, Inc.	Alisha May	Bigfork, MT
Bailey Paving, Inc.	Joe Bailey	Bozeman, MT
Pierson Painting, Inc.	Tona M Pierson	Helena, MT

Update to Contractor's System

Beginning with the November 13, 2003 Bid Letting, there will be erosion control plans available on applicable project at no charge on our web site, or hard copies will be available for the cost of \$3.00 per project. This item will be listed on the November order form.

TWO STEPPING IN A DIVERSE WORKPLACE (Part 3 of 5)

Doing the harassment hustle!!

You are already aware that you cannot harass employees because of their gender, race, religion. In



addition, it is your job as a supervisor to stop all co-worker harassment.

Alice Flesch, (acting) Civil Rights Compliance Specialist
Frank Murphy, Motor Carrier Services Bureau Chief

A common problem area is when there is one woman and many men doing a traditionally male job, like construction. It is up to the supervisor to make sure co-workers don't treat her worse than they treat each other.

TIP: Work can be lonely for an employee who's different from the rest of your department: a different race, gender, nationality, etc. You can break down cultural barriers by getting to know the individual and including the person in group projects, which can help other employees get to know the person as well.

So Let's Say... You have a male employee who recently emigrated from a foreign country where women aren't considered equal to men. He refuses to speak directly to any of the women in the department and makes derogatory comments about them. No one has complained to you yet, but as a supervisor, you have a responsibility to step in and stop the harassing activity.

Are you Inspiring Your Employees?

As the leader of your company, it's up to you to create an atmosphere that encourages employee success—bettering their work performance, the atmosphere at work and the entire image of your small business. Take the following quiz to find out if you are bringing out the best in your employees:

1. Do you recognize your employees for a job well done?
Y N
2. Do you offer opportunities for professional development?
Y N
3. Do you value employees' opinions and suggestions?
Y N
4. Do you recognize personal achievements or celebrations, such as a birthday or graduation? Y N
5. Do you provide opportunities for advancement? Y N

If you are not doing all of the above in your business, then you are probably not getting the most out of your employees. Start improving the situation by recognizing hard working employees. A simple "thank you" will usually make a huge difference. It's important to encourage employee growth within the company, because if employees feel they can move up, they typically work even harder to excel. As an employer you want them to take ownership of their work and strive to do their best everyday. If you value your employees, let them know. Start by asking their opinions and suggestions. Recognize their personal achievements and create a positive work atmosphere where your employees help YOU succeed!

If you answered yes to all of the above, you are an inspiration! You have created a positive atmosphere for your employees. The turnover at your company is probably low, because your employees take pride in their work and have room to grow. You encourage input from your employees, allowing them to take ownership in the company. You have developed a loyal workforce. Congratulations! As an added benefit, you have created a reputation for yourself as a good employer, causing customers to respond positively as well.

For more entrepreneurial tools, log onto www.score.org and pick from various business quizzes, tips and online workshops. SCORE (the Service Corps of Retired Executives) serves as Counselors to America's Small Business! SCORE's 10,500 retired and working volunteers provide free business counseling and advice as a public service. SCORE is a resource partners with the U.S. Small Business Administration.

—SCORE offers Ask SCORE email advice online.

—Face-to-face business counseling at 389 chapters.

—Low-cost workshops at 389 chapters nationwide.

—Free and confidential small business counseling.

—SCORE Chapters in Montana: Billings 245-4111, Bozeman 586-5421, Butte 723-3177, Great Falls 761-4434, Havre 265-4383, Helena 441-1081, Kalispell 756-5271, Missoula 327-8806.

Highway Construction Bid Letting CDs

Get your free CD from MDT Contract Plans. The CD contains current month's bid plan packages with plans, proposal, cross sections, dirt



runs, and erosion control plans; bid files; and Invitation for Bids. Also included are detailed drawings, standard specifications with supplementals, and Expedite. It is simple to get this CD – just contact Lori Stanich in Contract Plans. Her e-mail is Lstanich@state.mt.us or 406-444-6216.

Choosing Your Webpage Designer

Getting the help you need to develop a website for your business is often not as easy as it sounds. Dave Angove, Integrated Technology, Helena, offered the following check list for finding a web designer to business women attending the SBA "Body, Mind & Business" conference in Chico.

Look for a consultant or designer who:

- takes the time to answer all your questions.
- takes the time to understand your business and the intent of the site.
- involves you in the design process (provides a flowchart of size and menu designs).
- develops the site with the understanding that you will maintain it after the framework is in place (either through the use of templates or with a database back end with an administrative front end.
- makes the site easily modifiable by you.
- shows you previous projects that encompass the above ideas with similar intent.
- is willing to talk about the project schedules of past projects. (Were they on-time and within budget.)
- has the staff that have development experience of at least two years on commercial sites.
- is willing to teach you what you want to know about your site design and the underlying technology.
- plans the site to be extensible (portable so it can be run on different U.S. platforms without proprietary software).
- Will the site follow W3C guidelines and ADA guidelines?
- can provide you with a comprehensive project quote.
- will provide you with the training to maintain the site if necessary.

1% Montana Gross Receipts Tax Overview

The Montana 1% Gross Receipts Tax was originally set forth to provide a tax break for Montana contractors. Last year, \$ 5.6 million was collected in revenues from public projects in the state. \$ 4.8 million was refunded or credited back to the contractors and \$ 0.8 million was reverted back to the general fund for future projects.

The State of Montana does not take any position on whether or not the 1 % is included in a bid. If the project is subject to the tax, then all contractors involved are subject to rules and regulations of the tax. All prime contractors are required by law to withhold and report on their subcontractors. The only two subcontracting exceptions to this are materials suppliers and engineering services.

The 1% Gross Receipts Tax applies to all public contracts where the original contract price exceeds \$ 5,000.00. Any subcontracts attached to the original contract are subject to the tax regardless of dollar amount. Federal projects are also subject to the tax. In the case of federal projects, the prime contractor must report and pay the tax on its own behalf.

There are two recourses to the money that is withheld from a contractor.

The first, is a dollar for dollar reimbursement on specific types of Personal Property Taxes paid and reported as earned in the same calendar period. This would include Personal Property Taxes paid at the county level for tools, equipment, office fixtures, etc. It also includes portions of vehicle registration costs for vehicles that are used 100 % in the construction business. You can apply for Personal Property Tax Refunds up to 5 years previous.

The second, is to use the monies withheld as a credit against an Income Tax liability. For C-Corps you may use the monies withheld from your company to credit a liability on your Corporation License Tax. If you are a S-Corp., LLC., Partnership, Sole Proprietor, or some other pass through entity you may use the monies withheld from you as a credit against your Individual Income Tax liability.

Please feel free to contact us about the status of your account. We are available Monday through Friday 7:30 a.m. to 5:00 p.m. at the contact information provided below.

Montana Department of Revenue

Business Tax Valuation

Contractor's Gross Receipts Tax

P O Box 5835

Helena, MT 59604

Michael Faulkner

(406) 444-7713

MFaulkner@state.mt.us

Cliff Ulmer

(406) 444-3500

CUlmer@state.mt.us

Quote of the Month

The best leader is the one who has sense enough to pick good people to do what he/she wants done, and self-restraint enough to keep from meddling with them while they do it.

Theodore Roosevelt

November Business Calendar

Sun	Mon	Tue	Wed	Thu	Fri	Sat
2	3	4	5	6	7	8
9	10 >Adobe Photoshop-Level 1 Missoula >How to Build Powerful Powerpoint Presentations Great Falls	11 >How to Design Eye-Catching Brochures Missoula	12 > S Corporations Billings > How to Design Eye-Catching Brochures Helena >Powerpoint-Level 1 Missoula >QuickBooks Payroll Helena >Safety Wkshp Helna >Tools for Winning the Marketing Game (Nov 12-13) Billings	13 >Bootstrap Marketing Hamilton >Discovering the Secrets of Microsoft Access (Nov 13-14) >Evaluating a Business Idea Hamilton > How to Design Eye-Catching Brochures Bozeman >QuickBooks Pro-Level 1 Missoula	14 >Adobe Photoshop-Level 1 Missoula >Fundamentals-Personnel Law Missoula >How to Design Eye-Catching Brochures Great Falls	15
16	17	18 > Bootstrap Marketing Missoula >Excel-Level 2 Missoula >Hiring & Retaining Good Employees Billings >SafetyWorkshop Glendive	19 >Managing by the Numbers Missoula >Safety Workshop Billings	20 >Finance: The Basics Billings >Hiring & Retaining Good Employees Missoula >Safety Workshop Bozeman	21 > How to Design Eye-Catching Brochures Billings >QuickBooks Pro Level 2 Missoula >Section III: Establish Personnel Policies Kalispell	22
23	24 >Conference on Leadership Development & Teambuilding Billings >Project-Managing a Project Missoula	25 >Microsoft Publisher Missoula	26	27	28	29
30	Dec. 1 >Fundamentals of Effective Project Management (Dec. 1-2) Billings >Handle People with Tact & Skill Kalispell >Word_Level 1 Missoula	Dec. 2 >Basic Supervision Missoula >Evaluating a Business Idea Missoula >Handle People with Tact & Skill Missoula >Workplace Safety & OSHA Compliance 2003 Missoula	Dec. 3 >Excel-Level 1 Missoula >Workplace Safety & OSHA Compliance 2003 Helena	Dec. 4 >Adobe Photoshop-Level 1 Missoula >Basic Supervision Helena >Evaluating a Business Idea Hamilton >Managing by the Numbers Hamilton >Overtime Requirements Billings >Workplace Safety & OSHA Compliance 2003 Bozeman	Dec. 5 >Access-Level 1 Missoula >Handle People with Tact & Skill Great Falls >Workplace Safety & OSHA Compliance 2003 Billings	

2003

Access-Level 1, Dec 5 Missoula, \$119. Watercolor Computer Training, 406-542-1573.

Adobe Photoshop-Level 1, Nov 10 Missoula, Nov 14 Missoula, Dec 4 Missoula, \$119. Watercolor Computer Training, 406-542-1573.

Basic Supervision Seminar, Dec 2 Missoula, Dec 4 Helena, \$179. Padgett-Thompson Seminars, 800-258-7246, cstserv@pttrain.com.

Bootstrap Marketing, Nov 13 Hamilton, Nov 18 Missoula, \$10. Montana Community Development Corp., Steve Grover, 406-728-9234.

Conference on Leadership Development & Teambuilding, Nov 24 Billings, \$199. SkillPath Seminars, 800-873-7545.

Discovering the Secrets of Microsoft Access, Nov 13-14 Billings, \$399. SkillPath Seminars, 800-873-7545.

Evaluating a Business Idea, Nov 13 Hamilton, Dec 2 Missoula, Dec 4 Hamilton, \$10. Montana Community Development Corp., Steve Grover, 406-728-9234.

Excel-Level 1, Dec 3 Missoula, \$119. A Spreadsheets Class on Excel. Watercolor Computer Training, 406-542-1573.

Excel-Level 2, Nov 18 Missoula, \$119. Watercolor Computer Training, 406-542-1573.

Finance: The Basics, Nov 20 Billings, \$289. Lorman Education Services, 888-678-5565.

Fundamentals of Effective Project Management, Dec 1-2 Billings, \$499. National Seminars, 800-258-7246.

Fundamentals-Personnel Law for Managers & Supervisors, Nov 14 Missoula, \$199. SkillPath Seminars, 800-873-7545.

Handle People with Tact & Skill, Dec 1 Kalispell, Dec 2 Missoula, Dec 5 Great Falls, \$149. CareerTrack, 800-556-3009.

Hiring & Retaining Good Employees, Nov 18 Billings, Nov 20 Missoula, \$195. Associated Employers of Montana, 406-248-6178, acarrillo@associatedemployers.org.

How to Build Powerful Powerpoint Presentations, Nov 10 Great Falls, \$249. SkillPath Seminars, 800-873-7545.

How to Design Eye-Catching Brochures, Etc., Nov 11 Missoula, Nov 12 Helena, Nov 13 Bozeman, Nov 14 Great Falls, Nov 21 Billings, \$179. CareerTrack, 800-556-3009.

Managing by the Numbers, Nov 19 Missoula, Dec 4 Hamilton, \$10. Montana Community Development Corp., Steve Grover, 406-728-9234, sgrover@mtcdc.org.

Microsoft Publisher, Nov 25 Missoula, \$119. Watercolor Computer Training, 406-542-1573.

Overtime Requirements & Exemptions in Montana, Dec 4 Billings, \$199. Lorman Educational Services, 888-678-5565, customerservice@lorman.com.

Powerpoint-Level 1, Nov 12 Missoula, \$119. Watercolor Computer Training, 406-542-1573.

Project-Managing a Project, Nov 24 Missoula, \$119. Watercolor Computer Training, 406-542-1573.

QuickBooks Payroll, Nov 12 Helena, \$75. Business Resource Center at CTI, Stephanie Hilger, 406-443-0800.

Quick Books Pro-Level 1, Nov 13 Missoula, \$119. Watercolor Computer Training, 406-542-1573.

QuickBooks Pro-Level 2, Nov 21 Missoula, \$119. Watercolor Computer Training, 406-542-1573.

Safety Workshop, Nov 12 Helena, Nov 18 Glendive, Nov 19 Billings, Nov 20 Bozeman, Free. Montana State Fund, Matthew T. Cohn, 406-444-5982, mcohn@montanastatefund.com.

S Corporations: Tax & Non-Tax Issues, Nov 12 Billings, \$279. Lorman Education Services, 888-678-5565.

Section III: Establishing Personnel Policies & Procedures, Nov 21 Kalispell, \$94. Flathead Valley Community College, 406-756-3840, www.fvcc.edu.

Tools for Winning the Marketing Game. Nov 12-13 Billings, \$175. Kate Bryan or Deborah Nash, 406-994-3812.

Word-Level 1, Dec 1 Missoula, \$119. Watercolor Computer Training, 406-542-1573.

Workplace Safety & OSHA Compliance 2003, Dec 2 Missoula, Dec 3 Helena, Dec 4 Bozeman, Dec 5 Billings, \$199. National Seminars Group, 800-258-7246.

Legal Quiz:

Workplace safety

1. **True or False.** A worker is injured because she violated Safety guidelines. Since you adequately trained her, your company can't be fined by OSHA.
2. **True or False.** New workers need high levels of supervision, whereas experienced workers can be relied upon to keep good safety practices.
3. **True or False.** The largest percentage of accidents occur when companies put production concerns ahead of safety concerns.
4. **True or False.** A supervisor quits and forgets to tell his replacement about a workplace hazard. Two weeks later a worker is severely injured. The company could successfully contest a willful citation from OSHA on the grounds that the negligent supervisor had left the company, and that no active employee did anything wrong.



Quiz answers 1. False. Companies get fined all the time under these circumstances. Unless you can show documented evidence that you *enforce* safety rules, OSHA may assume that your lax attitude toward safety contributed to the accident. 2. False. Experienced workers often become overconfident and feel they can bypass safe practices. 3. True. 4. False. In similar cases, OSHA has ruled that the new supervisor should have done an initial hazard assessment and found the potential danger.

from Legal 21 for Supervisors, September 22, 2003.

Complaints-Five Common Mistakes You Must Avoid

When an employee complains of discrimination or unfair treatment, it's the supervisor's job to investigate the allegations.

But there's a right, and a wrong, way to conduct an investigation. Here are the five most common mistakes supervisors make:

1. **Delaying the start of the investigation.** Delays can lead to the perception that you're not taking the complaint seriously.
2. **Failing to interview the complainant and all witnesses.** Supervisors who neglect to speak to the complainant or witnesses, even if they received written statements from them, often miss critical information.
3. **Guaranteeing absolute confidentiality.** You can't guarantee absolute confidentiality of an investigation. By doing so, you risk losing credibility later when you make necessary disclosures.
4. **Failing to protect the complainant and witness from retaliation.** It's unlawful for anyone to retaliate against employees because of their complaints, founded or unfounded.
5. **Failing to take appropriate disciplinary action.** You must report your findings to the complainant and the accused and take disciplinary action, consistent with company policy. Failure to take disciplinary action places the company in as weak a position as if you hadn't conducted any investigation at all.

from Legal 21 for Supervisors, September 22, 2003

2004 Standard Mileage Rates Set—800,000 More Businesses Eligible

The Internal Revenue Service has released the optional standard mileage rates to use for 2004 in computing the deductible costs of operating an automobile for business, charitable, medical or moving expense purposes.

To reduce a recordkeeping burden, the IRS also announced that taxpayers who use no more than four vehicles at the same time for business purposes may use the standard mileage rate, starting in 2004. Currently, those using more than one vehicle at a time cannot use the standard rate at all, leaving them to track the actual expenses for each vehicle.

Beginning Jan. 1, 2004, the standard mileage rates for the use of a car (including vans, pickups, or panel trucks) will be:

- 37.5 cents a mile for all business miles driven, up from 36 cents a mile in 2003;
- 14 cents a mile when computing deductible medical or moving expenses, up from 12 cents a mile in 2003; and
- 14 cents a mile when giving services to a charitable organization.

The standard mileage rates for business, medical and moving purposes are based on an annual study of the fixed and variable costs of operating an automobile. The primary reason for the mileage rate increases is a rise in fuel prices during the study period, which ended on June 30. An independent contractor, Runzheimer International, conducted the study on behalf of the IRS. The charitable standard mileage rate is set by law.

Revenue Procedure 2003-76 contains additional information on these standard mileage rates. It will appear in Internal Revenue Bulletin 2003-43, dated October 27, 2003. (Information provided by Jim Nys, PHR, Personnel Plus! Consulting Services, Inc., Helena, MT)

Encourage frank references

When speaking to a job candidate's former employer, use tact to encourage the person to be frank with you.

Getting references to provide useful information can be a challenge. If you ask questions that are too personal or sensitive, the employer may revert to listing the employee's "name, rank and serial number."

Here's a list of questions that will help you determine whether a candidate's resume is truthful—and whether he's a good match for the position you have open:

- * "Why did the candidate leave the job?"
- * "Could I read you the part of the candidate's resume that describes the work he did for your organization, and could you comment on the accuracy of the information?"
- * "How does the candidate compare with the person who is currently doing the job?"
- * "Can you think of any situation in which he did something extraordinary?"
- * "If the candidate left the position voluntarily, did you ask him to reconsider his decision?"

—Adapted from *The Fast-Forward MBA in Hiring*, Max Messmer, John Wiley & Sons Inc.

3 Top e-mail gaffes

Even now that e-mail has been around for several years, some of us still aren't "getting the message" when it comes to being both effective and polite. Here are three common e-mail mistakes people make every day. Avoid them and your messages will be clear and professional.

1. **Leaving the subject line empty.** It's common courtesy to tell your reader what information you're delivering. When reviewing a list of new e-mails, we all use the subject lines to quickly determine whether we need to open it then. The more information you give in the subject line, the better. *Example:* Instead of titling your e-mail "Meeting," give the details: "Marketing Meeting Set for Nov. 9."
2. **Playing with funky formatting.** Your e-mail program may let you underline, italicize, boldface and color your words, but when your recipients read your messages, these features may not translate. Text formatting is rarely consistent among e-mail systems. *Better:* A safe way to emphasize a word is to type it in capital letters. *Caution:* While capitalization makes an impact when used occasionally, it's extremely hard to read long passages written in all caps.
3. **Operating undercover.** Have you ever received an e-mail, and couldn't figure out who sent it? Frivolous, unclear e-mail addresses can frustrate your recipients. Many people delete e-mails with unfamiliar addresses, mistaking them for spam. Goofy screen names don't do much good for your professional image, either.

—Adapted from "Are You Ticking People Off With Your E-Mail?" Alexandria Brown, www.akbwriting.com.

MT Contracting Opportunities

Highway Construction Beartooth Highway, DTFH70-01-B-00032, Highway, Gardiner, Western Federal Lands Highway Division, Bid Date: November 19, 2003, The work consists of 8.01 km of grading, base, asphalt concrete pavement, and drainage. (360)619-7520, Fax (360)619-7932, Email contracts@wfl.fha.dot.gov <http://www.eps.gov/spg/DOT/FHWA/WFL/DTFH70-01-B-00032/listing.html>

Environmental Remediation Services for the Libby, MT Asbestos Project, DTRS57-03-R-20027, Bid Date: December 3, 2003, The contractor(s) will be required to remove and dispose of asbestos contaminated soil, and material from numerous operable units and residences in Lincoln County, Montana. The contractor(s) will be required to develop health and safety plans, perform abatement (removal or encapsulation) of asbestos, removal of vermiculite materials, demolition of asbestos contaminated structures. Edward R. Wirtanen, (617) 494-2619 wirtanen@volpe.dot.gov <http://www.eps.gov/spg/DOT/RSPA/VNTSC/DTRS57-03-R-20027/listing.html>

The City of Billings, requests proposals to provide engineering services for the Public Works Department Engineering Division for the following public improvements: Work Order 03-19 East End Industrial Area Phase I Design, 03-20 West Heights Storm Drainage Master Plan, and 03-25 Rimrock Road (Shiloh Road to 54th Street West). All proposals must be submitted no later than close of business on November 21, 2003. <http://ci.billings.mt.us/rfps/default.htm>

RFP50401, Department of Environmental Quality, Bid Date 12/5/03 Services of Environmental Specialists to assist in preparing an environmental impact statement for the Holcim (US) Inc. tire derived fuel permit.
<http://www.discoveringmontana.com/doa/GSD/osbs/Results.asp?List=All>

MDT Highway Construction Projects Invitation for Bids, Letting of November 13, 2003

For the most complete and timely bid information, go to the web site <http://mdt.state.mt.us/cntrct/contract.htm> and click on Invitation for Bids. While the newsletter has notices posted, do not rely on this information alone.

Sealed bids on the following projects will be received by the MDT-Highways Division, Contract Plans Section, Room 101, 2701 Prospect, Helena, MT until 9:00 a.m. on November 13, 2003, the bids being publicly opened and read thereafter at 10:00 a.m. in the Department's auditorium. Bids proposals, plans, cross-sections, and full instructions to bidders are on file for examination, and may be obtained from the Contract Plans Section 406-444-6216, 6212 or 6215, Fax 406-444-7236 or go to web site <ftp://ftp.mdt.state.mt.us/contract/orderform.pdf> for order form.

1. **Oswego-East & West, Federal Aid Project No. NH 1-9(38)573** Pulverization, widening, resurface, guardrail and drainage on 13.0 km on the Oswego-East & West project on US 2, in Valley County. DBE contract goals are 2.0%.
2. **Columbia Falls-North, State Project No. SFCS 486-1(6)2** Plant mix overlay, seal and cover, pavement markings, mile markers and guardrail end treatment upgrade on 16.6 km on the Columbia Falls-North project on S-486 in Flathead County. This contract does not contain DBE goals.
3. **D1 - Scour Protection, Federal Aid Project No. BH 0002(577)** Placement of cable-tied block mattresses around bridge substructures at 3 sites on the D1-Scour Protection project in Ravalli and Missoula Counties. DBE contract goals are 0.0%.
4. **Slope Flattening - NE of Helena, Federal Aid Project No. STPHS 280-1(14)4** Flatten slopes, drainage work and graveled approaches on the Slope Flattening-NE of Helena project in Lewis and Clark County. DBE contract goals are 0.0%
5. **Truck Route Signs-Billings, Federal Aid Project No. NH-IM-STPU 0002(644)** Signing and electrical work at 12 locations in and around Billings on the Truck Route Signs-Billings project in Yellowstone County. DBE contract goals are 0.0%
6. **MTS 409 Slide - South of Whitlash, Federal Aid Project No. ER 409-1(6)32** Grade, gravel, topsoil salvage and place, seed and drainage on 0.4 km on the MTS 409 Slide - South of Whitlash project on S-409 in Liberty County. DBE contract goals are 0.0%.
7. **Luminaires-Colstrip, Federal Aid Project No. STPP 39-1(35)25** Intersection lighting at the intersection of Montana 39 and Pine Butte Drive, Section 21, Township 2 North, Range 41 East in Rosebud County. DBE contract goals are 0.0%.

More MT Contracting Opportunities

Swan Lake Ranger Station Roads and Parking Lots, Flathead National Forest, RFP R1-10-04-5, Bid Date: December 12, 2003, Excavation, Grading, Aggregate, Crack Cleaning and Filling, Paving, Concrete Curb and Sidewalk, Topsoil, Seeding, and Pavement Markings, Nola Rice, Barbara Venturini, 406-758-5310 <http://www.eps.gov/spg/USDA/FS/0385/RFP%5FR1-10-04-5/listing.html>

NIIH/NIAID Rocky Mountain Laboratories Security Fence, Hamilton, MT, 102-IFB-04-0002, Bid Date: Dec 16, 2003, Indian Health Service, Replace approximately 2,900 linear feet of existing chain link fence with a nine foot high steel security fence. The proposed work includes steel cable barriers, concrete footings and sidewalks, site lighting, landscaping, and installation of approximately 740 linear feet of concrete culvert. Dale Burson, 206.615.2456, Fax 206.615.2466, Dale.Burson@des.ihs.gov
<http://www.eps.gov/spg/HHS/IHS/IHS-Seattle/102-IFB-04-0002/listing.html>

Highway Construction: MT PFH 73-1(5), PIONEER MOUNTAINS SCENIC BYPASS, DTFH70-04-B-00003, Bid Date: Feb 15, 2004, Western Federal Lands Highway Division, Work consist of 6.88 km of grading, drainage, base, paving, structure, two bridges. Located 60 km northwest of Dillon, MT. REQUEST PLANS by E-Mail to contracts@wfl.fha.dot.gov, or by fax to (360)619-7932.
<http://www.eps.gov/spg/DOT/FHWA/WFL/DTFH70-04-B-00003/listing.html>

Swan Lake Ranger Station Roads and Parking Lots, RFP_R1-10-04-5, Bid Date: Dec 12, 2003, Flathead National Forest, Project consists of reconstruction of the Roads and Parking Lots including removal of existing bituminous surfacing, excavation, furnishing and placing crushed aggregate base, hot bituminous plant mix, topsoil, and application of pavement seal coat. Work also includes furnishing and placing concrete parking curbs, sidewalk, and pavement markings Nola Rice, Procurement Technician, Phone 406-758-5310, Fax 406-758-5326, Email [nnrice@fs.fed.us](mailto:nrice@fs.fed.us) - Barbara Venturini, Procurement Technician, Phone 406-758-5318, Fax 406-7585326, Email bventurini@fs.fed.us <http://www.eps.gov/spg/USDA/FS/0385/RFP%5FR1-10-04-5/listing.html>

2004-2005 Pre-Commercial Hand Tree Thinning and Pruning, RFQ-14-04-006, Posted Date: October 27, 2003, Kootenai National Forest, Libby, MT This project consists of pre-commercial hand thinning and pruning of approximately 304 acres in 2004 and 316 acres in 2005. All acreage is located in the Rexford Ranger District of the Kootenai National Forest, located in Northwestern Montana. THIS PROJECT IS BEING ADVERTISED WITH THE INTENT THAT QUOTERS CAN VISIT THE UNITS THIS FALL AND SUBMIT QUOTES BY JANUARY 15, 2004. Jenny Votapka, Purchasing Agent, Phone 406-283-7684, Fax 406-283-7709, Email r1_kootenai_contracting@fs.fed.us - <http://www.eps.gov/spg/USDA/FS/03J1/RFQ-14-04-006/listing.html>

MONTANA DBE PROGRAM

Debbie Riemann, Acting DBE Program Manager, driemann@state.mt.us (406) 444-9229

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Vicky Koch, Civil Rights Bureau Chief
vkoch@state.mt.us (406) 444-6335

2701 Prospect Avenue/PO Box 201001, Helena, MT
59620-1001, (406) 444-6331, Fax (406) 444-7685 TTY
(800) 335-7592 www.mdt.state.mt.us and click on
Civil Rights Bureau

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DBE Supportive Services, Civil Rights Bureau
Montana Department of Transportation
PO Box 201001
Helena, MT 59620-1001
800-883-5811
TTY (800)335-7592



STATE DOCUMENTS COLLECTION

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HELENA, MONTANA 59620

**Upcoming Dates**

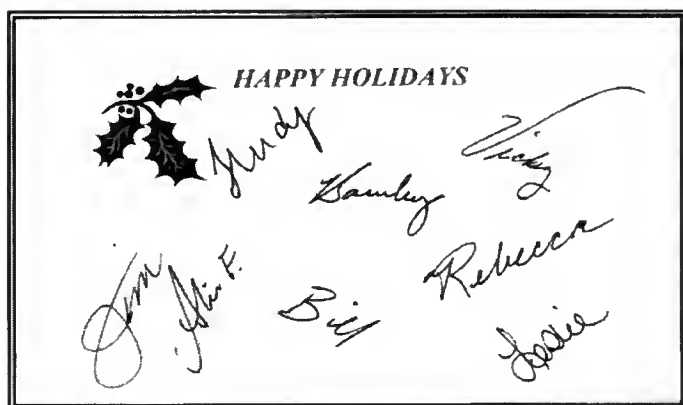
Logo Contest Results Announced Dec 15, 2003

Construction Employer Workshop, Dec 16, 2003

MDT Bid Letting Dec 18, 2003

MDT Invitation for Bids Jan 2, 2004

MDT Training Conference, Jan 6-7, 2004

**WHAT EVERY CONSTRUCTION
EMPLOYER
NEEDS TO KNOW WORKSHOP***December 16, 2003
Helena, MT*MDT Headquarters Conference Room
2701 Prospect Avenue
8:15 am to 4:45 pm
Cost is \$25, non-refundable

Workshop participants will learn their options, rights and responsibilities on topics that relate to successfully and legally hiring, managing and terminating employees in Montana.

James A. Nys is the speaker. He has been the Chief Human Resource Management Consultant for Personnel PLUS! Since 1987. He is the author of several human resource management books.

For more information call Personnel PLUS! Consulting Services, Inc. 406-443-7787 or email at jim@personnelplus.com.

Send payment to: Personnel Plus! Consulting Services, Inc., 910 East Lyndale, Suite A, Helena, MT 59601

Construction Estimating Software**Heavy Bid Express 2.1 Software with Manual****FREE FREE FREE**The software is **free** and available to DBE companies.

Call Rebecca today to get your free copy or to request on-site training to use software.

Thank you to Heavy Construction Systems Specialists for free use of this software.



Debbie Riemann, Acting DBE Manager at the Montana Department of Transportation Civil Rights Bureau is on extended leave due to illness.

We are thinking of Debbie and hoping for a speedy recovery.

2.5-day Blueprint Reading Workshop**January 5-7, 2004, Bozeman, MT****\$75.00 per person**

Penny Knoll, Professor of Civil Engineering, is presenting this class at the Montana Manufacturing Extension Center in Bozeman. Get hands-on learning on how to read blueprints. Only 20 spaces available. Call Rebecca Johnson to register.

Montana DBE Company Monthly Update



Withdrawn DBE-Certified Companies

A. Laugeni & Son, Inc.

Carolyn Laugeni

West Haven, CT

De-Certified Companies

CA Small Trucking

Clayton Small, Jr.

Busby, MT

The Heartland Consortium, Inc.

Verni Nerren

Canton, OH

Tracks of the Past

Kathryn McKay

Columbia Falls, MT

J&R Trucking

John Eneas

Elmo, MT

Kristin Darr & Associates

Kristin Darr

Phoenix, AZ

Recently DBE Re-Certified Companies—(Annual Eligibility Update is October 31st of each year)

Phillips Construction

Patricia Phillips

Great Falls, MT

Benge Construction Co., Inc.

S. Scott Benge

Tualatin, OR

Silverstar, Inc. d/b/a Mann Trucking

Janice L. Wandler

Dickinson, ND

Quality Landscape Seeding, Inc.

Lisa M. Read

Belgrade, MT

Omo Construction

Ron Omo

Billings, MT

KLLYNCOLN, INC.

Karen L. Lyncoln

Seeley Lake, MT

Specialty Sales, Inc.

E.J. Cruickshank

Maple Grove, MN

B&B Diversified Materials

Beverly Christensen

Fairfield, CA

Jares Fence Company, Inc.

Bonnie Jares

Billings MT

Forest Rehab

Frances Peterson

Libby, MT

Sanchez Electric, Inc.

Tom Sanchez

Mills, WY

Mueller Consulting Land Surveyors

Virginia Mueller

Helena, MT

Scott Construction, Inc.

Patti Scott

East Helena, MT

Yeh & Associates, Inc.

Shan-Tai Yeh

Englewood, CO

Burtch Construction

Janet "Tiny" Burtch

Dixon, MT

Apple Valley Backhoe Service

Milton "Nubby" Peterson

Black Eagle, MT

Sandhill Enterprises

Jeanie Small

Busby, MT

Willow Creek Construction

Nikki Whitford

Browning, MT

Clancy Consultants, Inc.

Ann Clancy

Billings, MT

Crooked Fork Fencing, Inc.

Kella Babcock

Lolo, MT

Doherty & Associates

Karen Doherty

Boise, ID

Hand-D-Powerwash & Water Truck Serv

Dale Hand

Stevensville, MT

Terra West Technology, Inc.

Regina Cromer

Clancy, MT

Claudia Montagne, Public Health Consult

Claudia Montagne

Helena, MT

LA Olson & Associates

Larry Olson

Billings, MT

TWO STEPPING IN A DIVERSE WORK-PLACE (Part 4 of 5)

The Religion Rhumba



Most issues regarding religious diversity in the workplace are fairly straightforward. For example, one of your employees may require a religious accommodation, like a day off to observe a religious holiday. MDT will allow the person to take annual leave or perhaps h/her work schedule needs to be adjusted.

It is possible for you to become embroiled in a religious issue that you were not aware was even about religion.

So Let's Say... a company has a dress code requiring that employees appear neat and well groomed. One employee grows his hair into long dreadlocks, so you tell him to cut his hair. Before you can say "Samson," he runs to the Civil Rights Bureau and accuses you of discrimination. It turns out that he belongs to a religion that requires men to wear their hair in dreadlocks.

Before you require a person to conform to your dress code, ask if there is reason for not complying. If the employee gives you a religious reason, even if you are not familiar with that religious practice, talk to the Civil Rights Bureau or Human Resources before issuing any orders.



Penny Knoll, Professor of Civil Engineering, MSU-Bozeman

Review of Construction Basics and Blueprint Reading Workshop, Great Falls, December 2, 2003

Penny Knoll, Professor of Civil Engineering at MSU-Bozeman, was the presenter of this workshop. She provided the class with valuable information for the construction business. Here is just a glimpse of information shared:

Five Stages of Business Growth and what to consider:

- **Start-Up Contractor** — Investment Capital, Debt Repayment, Focus is month-to-month, Optimism is a key ingredient to success, Business Failure is high in this stage
- **Survival Sage**—More Stable, Still one-person show but no longer to get from one month to the next. Can Borrow money. Growth quickly eats cash.
- **Success Stage**—Positive cash flow, Risk of failure is minimal, Managers are more important, Tendency to overspend, Greatest risk to company is maintaining enough cash to deal with tough times, Planning is more important.
- **Growth Contractor**—Major issue is to finance expansion, Ability to delegate authority is critical, Competence of key people is critical, Systems and procedures become strained by growth, Long-range planning is critical, Demands on time and energy are high.
- **Mature Contractor**—Competent, self-reliant management, biggest challenge is to control its future without losing its spirit.

Some Common Reasons for Construction Company Failure are: Increase Project Size, Manage without Confidence, Changing Geographical Location, Capitalization, New Types of Work, Changes in Key Personnel, Lack of Managerial Maturity, Poor use of accounting systems, Failure to Evaluate Profitability, Lack of Equipment Cost Detail, Poor Billing Procedures

The information above was taken from articles and books written by Tom Schleifer, author of **Construction Contractors' Survival Guide**. DBE Supportive Services has ordered this book for the Lending Library for check out.

The Art and Science of Hiring

Hiring qualified employees is both an art and a science. Although there are many devices available to employers to help them determine which applicants possess the qualifications to do a particular job, the hiring official must frequently also draw upon less scientific procedures to make a final determination as to which of the many qualified applicants will do the job best and will be the most productive new member of the employer's work force.

While hiring a new employee can be a wonderful opportunity to bring fresh ideas, new skills and enthusiasm to the work force it also carries a great responsibility to ensure that the decisions are made in ways that do not lead to "problem" employees or legal liabilities later on.

In its simplest form, hiring is essentially a four-part process:

Planning - Planning includes determining the duties and responsibilities that you expect the new employee to perform and the knowledge, skills and abilities needed to perform those duties and responsibilities. Pre-planning the process both lessens the time needed to screen applicants and increases the likelihood that you will hire people who CAN do the job and WILL do the job. The process for planning a hiring process is not unlike that used by an architect when planning a new building or that a purchasing agent uses when writing purchasing specifications. You first identify your needs and then construct a plan that if followed should result in those needs being fulfilled. Many of the problems associated with new employees not being able to perform the job or not liking their new job can be traced to the amount of effort placed into selection planning.

Recruiting - Recruiting involves advertising the vacancy in a manner that causes qualified applicants to apply. Although many employers rely on word-of-mouth or newspaper ads to recruit new employees, there are many organizations available to help you locate qualified new employees.

Screening - Screening is the process of comparing applicants to the profile of a successful employee that was determined in the planning process in order to predict which can do the job and, among those who can, which will perform the best. There are many ways to screen applicants. Some screening devices are better than others in their ability to measure an applicant's capabilities. Similarly, some devices are better than other in avoiding claims of privacy invasion or unlawful discrimination.

Probation - No matter how much energy you might put into planning, recruitment and screening, the best way to find out if a person can and will do a job is to put them to work for a period of time. This "probationary period" is also a period of time for the new employee to decide if they are happy working for your company or with the duties, responsibilities, pay or benefits of the new position.

Elements of a Successful Hiring Process

A successful hiring (selection) procedure will generally have the following characteristics:

Job-Related - To be effective at selecting people who can do the job and to meet applicable legal requirements, it is important that the hiring official carefully identify the various knowledge, skills, and abilities needed to perform all the duties of the job. This process is known as job analysis. If you have a current job description it will greatly speed up the process of planning. If you do not have a job description that reflects the current duties and responsibilities, then it is time to create or update it.

Note: It is a good idea to involve someone who knows the job inside and out when developing or updating a job description. Even if the job description was last revised as little as a few months ago, it is valuable to review it to see if there have been any changes such as new procedures or equipment that may indicate that new skills are required or that previous ones are no longer applicable.

Consistent - If you do not apply the same procedures in the same sequence, the ability of your procedures to determine the best qualified applicants will be impaired and it will be more difficult to argue that you followed the laws that apply to hiring.

In order to maximize consistency, you should prepare and/or work from a written plan or checklist. Each application or resume should be screened against a checklist of qualifications and should be ranked or scored according to the same factors. Each candidate selected for interview should be asked the same questions and in the same order.

Each reference should be asked similar questions.

Being consistent does not always mean you must treat each candidate identically. When interviewing applicants, for example, you might want to clarify information about the skills a candidate obtained from a previous job. You may need to ask other candidates different questions since each will vary in the degree of completeness with which they respond to on the application form. Asking different questions of different candidates is acceptable in this situation because you are being consistent in clarifying any questions you have related to information given on the application form. Later in the interview, however, if you ask one candidate a question about how they would perform a particular duty of the job, you should ask each candidate the same kind of question.

Documented - If you are charged with discrimination or other wrongdoing in your hiring process, having good documentation will be invaluable to your defense.

Lawful - A properly-developed selection plan is aware of and considers the employer's legal or contractual responsibilities toward job applicants. Many employers have heard that there are certain questions that should not or may not be asked of candidates. Employers have an obligation, for example, to observe any hiring-related provisions of a union contract. If your organization's personnel policies or affirmative action plan establish procedures for recruiting or selecting employees they must also be followed.

A note of caution: Although we have attempted to address the major issues related to the hiring process, the complexity of the laws along with the probability of change or reinterpretations of the law may require you to obtain the assistance of a qualified professional advisor to interpret and help apply these general principals to your specific situation.

This article was prepared by Jim Nys, Personnel Plus! Consulting Services, Inc., 910 E. Lyndale, Helena, MT.

December Business Calendar

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
	1	2	3	4	5	6
7	8 >Technical Assistance Sanders County >Strengthening Your People Skills Missoula	9 >HR Boot Camp Great Falls >Strengthening Your People Skills Helena	10 >Windows XP Intro Missoula >Microsoft Publisher Missoula >Strengthening Your People Skills Bozeman	11 >Excelling as First Time Manager Missoula >Beginning Excel Helena >Pagemaker-Level 1 Missoula PowerPoint-Level 1 Missoula >HR Boot Camp Missoula >Strengthening Your People Skills Billings	12 >Excelling as First Time Manager Helena	13
14	15 >Basic Supervision Bozeman >Windows Introduction (Dec 15-16) Helena >QuickBooks Pro-Level 2 Missoula >Adobe Photoshop-Level 2 Missoula >How to Design Newsletters, Etc. (Dec 15-16) Bozeman	16 >Excelling as a First Time Supervisor Kalispell >What Every Construction Employer Needs to Know Helena >Managing by the Numbers Missoula	17 >Technical Assistance Mineral County >Basic Supervision Billings >Excelling as a First Time Supervisor Missoula >Word-Level 2 Missoula >Advanced Excel Missoula >How to Design Newsletters, Etc. (Dec 17-18) Billings	18 >Excelling as a First Time Supervisor Helena	19 >Excelling as a First Time Supervisor Bozeman >Project-Managing a Project Missoula >Access-Level 2 Missoula >Blueprint for Your Business Success Kalispell	20
21	22 >Pagemaker-Level 2 Missoula	23 >Word-Level 3 Missoula	24	25 Christmas	26	27
28	29	30	31	Jan 1	Jan 2	3

2003

Access-Level 2, Dec 19 Missoula, \$119. Watercolor Computer Training, 406-542-1573.

Adobe Photoshop-Level 2, Dec 15 Missoula, \$119. Watercolor Computer Training, 406-542-1573.

Advanced Excel, Dec 17 Helena, \$210. The Computer School, 406-442-3366.

Basic Supervision, Dec 15 Bozeman, Dec 17 Billings, \$179. Padgett-Thompson, 800-258-7246, cstserv@pttrain.com.

Beginning Excel, Dec 11 Helena, \$160. The Computer School, 406-442-3366.

Blueprint for Your Business Success, Dec 19 Kalispell, Cost? Jennifer Brazinsky, Business Advocate Flathead Job Service, 406-758-6222, jbrazinsky@state.mt.us.

Excelling as a First-Time Manager or Supervisor, Dec 11 Missoula, Dec 12 Helena, \$119. SkillPath Seminars, 800-873-7545, enroll@skillpath.net.

Excelling as a First-Time Supervisor, Dec 16 Kalispell, Dec 17 Missoula, Dec 18 Helena, Dec 19 Bozeman, \$149. Career Track 800-556-3009, Fax: 913-967-8847.

How to Design Newsletters, Brochures, Etc., Dec 15-16 Bozeman, Dec 17-18 Billings, \$395. National Seminars Group, 800-258-7246, Fax 913-432-0824, www.natsem.com.

HR Boot Camp, Dec 9 Great Falls, Dec 11 Missoula, \$195 Associated Employers of Montana, Amanda 406-248-6178.

Managing by the Numbers, Dec 16 Missoula, \$5. Montana Community Development Corp., Steve Grover, 406-728-9234, sgrover@mtcdc.org.

Microsoft Publisher, Dec 10 Missoula, \$119. Watercolor Computer Training, 406-542-1573.

Pagemaker-Level 1, Dec 11 Missoula, \$119. Watercolor Computer Training, 406-542-1573.

Pagemaker-Level 2, Dec 22 Missoula, \$119. Watercolor Computer Training, 406-542-1573.

PowerPoint-Level 1, Dec 11 Missoula, \$119. Watercolor Computer Training, 406-542-1573.

Project-Managing a Project, Dec 19 Missoula, \$119. Watercolor Computer Training, 406-542-1573.

QuickBooks Pro-Level 2, Dec 15 Missoula, \$119. Watercolor Computer Training, 406-542-1573.

Strengthening Your People Skills in the Workplace, Dec 8 Missoula, Dec 9 Helena, Dec 10 Bozeman, Dec 11 Billings, \$179. National Seminars Group, 800-258-7246, Fax 913-432-0824, www.natsem.com.

Technical Assistance, Dec 8 Sanders County, MT, Dec 17 Mineral County, MT, \$10. Montana Community Development Corp., Steve Grover, 406-728-9234, sgrover@mtcdc.org. An overview of business ownership and resources available in Montana.

What Every Construction Employer Needs to Know, Dec 16 Helena, \$25. Personal Plus! Consulting Services, 406-443-7787, jim@personnel-plus.com.

Windows Introduction, Dec 15-16 Helena, \$145. The Computer School, 406-442-3366.

Windows XP Introduction, Dec 10 Missoula, \$119. Watercolor Computer Training, 406-542-1573.

Word-Level 2, Dec 17 Missoula, \$119. Watercolor Computer Training, 406-542-1573.

Word-Level 3, Dec 23 Missoula, \$119. Watercolor Computer Training, 406-542-1573.

Let Integrity Rule

from *FUTURE TENSE* by Karl Schoemer

- * Say what you are going to do...and do it.
- * Share all the information you have openly.
- * Accept all responsibility when it's your to accept.
- * Give away all the honest feedback and recognition that you can.
- * Create win-win relationships at every opportunity.
- * If you can't deliver what's expected, say so.

Make Meetings More Productive

By Barbara Floria, the editor of *Vitality*, from Volume 36

MANY MEETINGS TAKE TOO LONG, lack focus and create problems for people by keeping them from crucial tasks. The following tips will help keep them to the point and productive.

- **DON'T COMMENT ON EVERY AGENDA ITEM.** Instead, save your remarks for issues that are important to you or about which you have particular knowledge.
- **PREPARE AHEAD OF TIME.** Read the agenda; if there is none, ask the person who called the meeting what will be discussed. Prepare handouts if they'll help you make an important point or gain support for a new project.
- **BE A GOOD LISTENER.** Pay attention to what other participants say. Consider taking notes to remind you of each speaker's main points.
- **THINK BEFORE SPEAKING.** To keep yourself on track, jot down your key points and figures on a piece of paper before you speak.
- **PLAN TO PARTICIPATE.** Doodling through a meeting wastes your time and makes you appear uninterested. Before a meeting begins, select a particular agenda item and plan to make at least one contribution on that issue.
- **SUPPORT OTHER PEOPLE.** If someone says something of value, signal your approval by making a comment. The person is likely to return the favor when you speak.
- **SET A POSITIVE TONE.** To do so, be calm, reasonable and reflective instead of insistent, domineering or overly critical of others.
- **BE ON TIME.** If you know you'll be late, tell the meeting leader ahead of time so he or she will start without you.
- **SIT ACROSS FROM OR NEXT TO THE LEADER.** These positions give you the most visibility and can increase your involvement in the discussion.
- **DON'T SPEAK TOO MUCH OR TOO LITTLE.** As a rule of thumb, try to make a significant contribution every 30 minutes. This frequency will keep you in the limelight, but you won't be overdoing it so that other people grow tired of listening to you.
- **BE BRIEF AND TO THE POINT.** Focus on the issue being discussed and don't make irrelevant comments.
- **USE EXAMPLES WHEN MAKING A POINT.** Examples give reality to your ideas and authority to your conclusions. Relevant examples also reduce the possibility your point will be misunderstood.
- **BE GRACIOUS.** If you disagree with someone, do so politely and make sure you criticize the person's ideas, not the person.

Finally, if the leader asks you to collect information for the next meeting, or to prepare a presentation, get started doing to necessary work as soon as possible.

A Single outburst by manager—is that pervasive hostility?

Marjorie, a clerk in the accounting department, made an improper IRS disbursement one day. Her supervisor, Dave Baker, was offsite at a meeting, but he found out about the mistake and called her.

"You (bleeping) idiot," he said. "Don't you know how to read? You'll rue the day that you did this to me! Somebody is going to pay for this."

Marjorie complained to HR, saying that she was terribly shaken by her boss's violent and vulgar outburst. She demanded an immediate investigation into the incident.

Two weeks later, Marjorie asked to see Dave in his office.

RESPONSE WAS INADEQUATE

"I'm not satisfied with the company's response," she said. "HR looked into the matter and concluded that nothing really needed to be done. That's not good enough."

"Marjorie, I already told you I was sorry for yelling at you," said Dave. "I just flew off the handle."

"You sure did," Marjorie said. "I couldn't sleep for days after that. And I'm having a tough time concentrating at my desk because I'm so afraid that I'll make another mistake and set you off again. I just freeze every time you walk by."

"Have I done anything improper since that incident?" asked Dave.

"No, but I'm terribly uncomfortable being here. I don't know if I can continue working at the company."

A week later Marjorie went to a lawyer, who filed a lawsuit against the company alleging that Dave's behavior created a hostile work environment.

HOW THE COURT RULED

Marjorie lost her lawsuit. There's no question that Dave's behavior was inappropriate. No supervisor should ever lose his or her temper and verbally abuse an employee.

But the court said that even if Dave's profane language could have been characterized as sexual harassment, a single telephone call is "insufficiently severe and pervasive" to be considered a hostile work environment.

So Dave got off the hook for his outburst, at least this time. He needs to be reminded that a supervisor's behavior is always under a microscope, and slip-ups like this can often have disastrous consequences for employers.

Cite: *Stewart v. Evans*, U.S. Court of Appeals for the District of Columbia Circuit, No. 01-5036, 1/11/02.

From: Legal 21 for Supervisors, September 22, 2003.

Quote of the Month

A certain amount of opposition is a great help.
Kites rise against, not with, the wind.

John Neal

Please welcome these people to their new job positions in the MDT Civil Rights Bureau at the Montana Department of Transportation.

Alice Flesch (on right, shown with Vicki Koch, Civil Rights Bureau Chief)

New Acting DBE Program Manager and ADA Coordinator



Leslie Wootan

Acting DBE Program Specialist and
Assistant to ADA Coordinator



Trudy Eaton

Civil Rights Bureau Administrative Assistant

As Read MDT November 13, 2003 Bid Letting Results

Project Title & Number	Prime Bidder	Low Bid Amt.	DBE Dollars
SFCS 486-1(6)2 Columbia Falls North	JTL Group, Inc.-Kalispell	\$985,314	
BH 0002(577) D1 - Scour Protection	L. M. Neilson & Sons, Inc.	\$272,191	
STPHS 280-1(14)4 Slope Flattening - NE of Helena	Bullock Contracting L.L.C.	\$165,027	
NH-IM-STPU 0002(644) Truck Route Signs - Billings	Omo Construction, Inc.	\$220,074	\$88,030
ER 409-1(6)32 MTS 409 Slide - South of Whitlash	Century Companies, Inc.	\$138,914	
STPP 39-1(35)25 Luminaires - Colstrip	Colstrip Electric, Inc.	\$23,995	

MDT Highway Construction Projects Invitation for Bids, Letting of December 18, 2003

For the most complete and timely bid information, go to the web site <http://mdt.state.mt.us/ctrct/contract.htm> and click on Invitation for Bids. While the newsletter has notices posted, do not rely on this information alone.

Sealed bids on the following projects will be received by the MDT-Highways Division, Contract Plans Section, Room 101, 2701 Prospect, Helena, MT until 9:00 a.m. on December 18, 2003, the bids being publicly opened and read thereafter at 10:00 a.m. in the Department's auditorium. Bids proposals, plans, cross-sections, and full instructions to bidders are on file for examination, and may be obtained from the Contract Plans Section 406-444-6216, 6212 or 6215, Fax 406-444-7236 or go to web site <ftp://ftp.mdt.state.mt.us/contract/orderform.pdf> for order form.

1. **Oswego-East & West, Federal Aid Project No. NH 1-9(38)573** Pulverization, widening, resurface, guardrail and drainage on 13.0 km on the Oswego-East & West project on US 2, in Valley County. DBE contract goals are 2.0%.
2. **Sidney-West, Federal Aid Project No. STPP 51-3(3)60** Plant mix overlay, widening, seal and cover on 18.8 km of MT 200 and MT 23 in Richland County. DBE contract goals are 2.0%.
3. **Rocker Scale Site & Rocker Interchange-North, Federal Aid Project Nos. IM 15-2(74)122 & STPS 276-1(7)0 IM 15-2(74)122-** The construction of a new westbound MCS Scale Site 1.6 km east of the existing weight scale facility on Interstate 15. Grading gravel and paving of the new scale site, new on and off ramps, and the construction of the building with scales, weigh-in-motion weighing equipment and the Advance WIM and PrePass Systems 4.5 km east of the Rocker Interchange on Interstate 15. The project is located adjacent to the westbound lanes of Interstate 15 between RP 123 and 124 in Silver Bow County. The project begins just east of the Rocker Interchange and extends easterly for 1.7 km to the beginning of the scale off ramp. ~~STPS 276-1(7)0~~—Grading, gravel, plant mix surfacing and seal and cover on 2.0 km of the Rocker Interchange-North road on MT Secondary 276 in Silver Bow County. The project begins at the Rocker Interchange at Station 10+00 and extends north to Station 30+25.8, Section 9 & 16, Township 3 North, and Range 8 West. DBE contract goals are 1.5%.
4. **Goat Creek-20 km South Swan Lake, Federal Aid Project No. BR 83-2(11)59** 21-meter concrete prestressed girder structure, grading, gravel surfacing, plant mix bituminous surfacing on the Goat Creek-20 km South Swan Lake project in Lake County. DBE contract goals are 1.5%.
5. **Bridge Creek-7 km SW Ashland, Federal Aid Project No. BR 566-1(5)4** Replacement of an existing timber structure with a culvert, and gravel surfacing of the roadway on the Bridge Cr.-7 km SW Ashland project in Rosebud County. DBE contract goals are 0.0%.
6. **NW Bypass Lighting-Great Falls, Federal Aid Project No. STPU 5206(7)** New roadway lighting on the NW Bypass Lighting-Great Falls project in Cascade County. DBE contract goals are 0.0%.
7. **Traffic Signals-Telemetry-Great Falls, Federal Aid Project No. CM 5299(46)** Electrical (traffic signal) work at various locations in Great Falls on the Traffic Signals-Telemetry-Great Falls project in Cascade County. DBE contract goals are 0.0%.

More MT Contracting Opportunities

Greycliff Rest Area Maintenance, 307004, MT Dept of Transportation, Bid Date: Jan 6, 2004,
<http://www.discoveringmontana.com/doa/gsd/osbs/Results.asp?List=All>

Columbus Rest Area Maintenance, 307005, MT Dept of Transportation, Bid Date: Jan 6, 2004, (see web site address above)

Streamside Tailings Operable Unit – Silver Bow Creek, IFB404021, MT Dept of Environmental Quality, Bid Date: Jan 22, 2004,

Plant Mix Production in Jordan, 307014, MT Department of Transportation, Bid Date: Dec 23, 2003, (see web site address above)

Glendive Plant Mix Production, 307012, MT Department of Transportation, Bid Date: Dec 23, 2003, (see web site address above)

Plant Mix Production in Miles City, 307013, MT Department of Transportation, Bid Date: Dec 23, 2003, (see web site address above)

Hysham Rest Area Maintenance, 307009, MT Department of Transportation, Bid Date: Jan 15, 2004, (see web site address above)

Steel Posts, 306997, MT Department of Transportation, Bid Date: Dec 30, 2003 (see web site address above)

Rogers Pass East Chip Seal Project, 307015, MT Department of Transportation, Bid Date: Dec 23, 2003, (see web site address above)

Custer Rest Area Maintenance, 307010, MT Department of Transportation, Bid Date: Jan 15, 2004, (see web site address above)

Demolition of Abandoned Fort Benton Water Treatment Plant Demolition, NDB040007, Bid Date: Jan 20, 2004, BLM. Remove all equipment, concrete floor, jetty from river, and dead trees. Seeding. The work is located in Fort Benton, Chouteau County, Montana. Tracie Richardson Contracting Officer 3032363515 tracie_richardson@blm.gov <http://www.epa.gov/spg/DOI/BLM/NCR/NDB040007/listing.html>

MONTANA DBE PROGRAM

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7592 www.mdt.state.mt.us and click on Civil Rights Bureau

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